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G. A. King

THE
STATUTES
OF THE
ISLE OF MAN,
VOL. I.

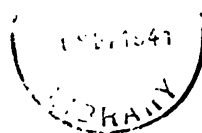
FROM A.D. 1417 TO A.D. 1824.

EDITED BY
J. FREDERICK GILL, ESQ.,
ADVOCATE.



LONDON:
PRINTED (BY AUTHORITY) BY EYRE AND SPOTTISWOODE,
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1883.



INTRODUCTORY NOTE.

In 1875 the Court of Tynwald voted a sum of money for the publication of a complete edition of the Statutes of the Isle of Man, under the direction of the Lieutenant-Governor of the Island, with the view of promoting a revision of the Statute Law. Subsequently His Excellency Sir Henry Brougham Loch, K.C.B., late Lieutenant-Governor, appointed John Frederick Gill, Esq., Advocate, to be Editor of the work, under the supervision of Sir James Gell, Attorney-General, and the late Alfred Walter Adams, Esq., Clerk of the Rolls. The present volume is the first part of the edition prepared by Mr. Gill. During the progress of preparation he was guided by the advice and acted under the instructions of the Attorney-General and the Clerk of the Rolls, and since the decease of the latter the Attorney-General has superintended the work.

Mr. Gill has carefully compared the text with the originals or the authorized copies in the Rolls Office, and although he does not assert that the present edition is free from inaccuracies, yet he believes it contains no error of any importance, and that it is the most perfect copy of the Statutes which has ever been published.

The book contains what have been commonly termed the *Ordinances* as well as the *Statutes* of the Island. Mr. Thomas Stowell, Advocate (afterwards Clerk of the Rolls), who in 1791 edited "The Statutes and Ordinances of the Isle of Man, now in force, Alphabetically arranged," in his preface to that work thus defines *Statutes* and *Ordinances* :—

“By *Statutes* the publisher would be understood to mean such Acts as have been made and passed by the three Estates of the Legislature before mentioned [the Sovereign, the Governor and Council, and the Twenty-four Keys]; and by *Ordinances*, certain Orders and Resolutions which have from time to time been made by separate branches of the Legislature, and which have been received and used as laws, and are retained in use and force at this day. These *Ordinances* were frequent in ancient times. They are, properly speaking, a part of the Common Law, and are in force no further than they have been sanctioned by, or retained in, use.”

The *Ordinances*, strictly so-called, which have hitherto formed part of the Statute Book are included in this volume. But besides Ordinances and Statutes passed in the more formal mode, which commenced in A.D. 1610, the Statute Book, in the earlier part of it, consists chiefly of declarations of the former unwritten Common Law on various subjects made in the Tynwald Court, and committed to writing, all such declarations being thereafter considered as very much of the character of Statute Law. All such declarations, and also the customary laws which have hitherto formed part of the Statute Book, are set forth in the present work.

It may be remarked that previous to the grant of the Island to Sir John Stanley in A.D. 1405, there is no record of legislative Acts, for, as appears by the declaration or points of law made in A.D. 1422 (p. 11), the laws had not been written since the days of King Orry, except in the time of Michael Blundell, who was Governor under Sir John Stanley I., but the record of the laws made in his days is not known to be extant. New laws must have been made from time to time, for many of those which in the early portions of the Statute Book are declared to be existing law, must have been

enacted previously as new laws, and could not have been Common Law grown up out of custom merely.

It is necessary to explain the plan of the present work. It was suggested by Sir H. B. Loch that laws not now in force should be printed in type smaller than that used for the unrepealed laws. This course has been followed, so far as regards laws expressly repealed or spent, temporary laws, and in many cases laws which, though not expressly, are necessarily, repealed by subsequent enactments. But as to the last-mentioned class of laws the printing in small type has been sparingly made use of, as differences of opinion may exist as to the effect of enactments on pre-existing laws. It is possible that it may be considered that some of the laws distinguished in this volume as not being in force may be erroneously so described; but, if so, no injury is done, inasmuch as the full text of all the laws being given, anyone can form his own opinion on this matter. The Editor and the Attorney-General are solely responsible for the notes.

Much inconvenience has arisen from the fact that the sections or clauses in many of the old laws, and in many Statutes down to very recent times, are not numbered. In the present edition numbers have been supplied. Frequently several Acts have been passed at the one time, and in some cases several Acts are included in one Statute without any distinguishing mark beyond the titles of the Acts. For convenience in all such cases the several Acts are in this volume numbered as chapters. Of course it must be understood that there is no authority for all such numbering, whether of Acts or sections, except that of the Editor and of those who have the supervision of the work. But the idea which they entertained was this, that if the work of Statute Law Revision be proceeded with, the present edition might be

by Act legalised as being *prima facie* the Insular Statute Book, and the repeal of existing laws can then be most conveniently carried out by concise references to the laws as contained in the present work.

J. GELL, Attorney-General.

Isle of Man,

J. FRED. GILL.

December, 1883.

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A.D. 1417.

ORDINANCES AND STATUTES

OF THE

ISLE OF MAN.

COMMISSION OF SIR JOHN STANLEY II. 1417.

To all Men y^t this Lett^r heren, John of Stanley, Knight, Lord of Manne and Isles, Latham, Knowsley, & Baron of Weston, Greeting in Our Lord everlasting. A.D. 1417.

Know Ye we have ordeyned & constitute Thurstan of Tildesley & Rog^r Haysnap, having my playne power to discharge & charge on & all myn Officers, men, & servants within my Lordship of Manne dwelling, of all offices & occupacions else playnely as I myself were there in proper person. And also I ordeyne & constitute the foresaid Thurstan Rog of the same my generall auditours to take, to here, to determine, to enquire, examyne, to prove, to charge & discharge all the accomptes of on & all myn Officers, Mynestres, & Servants, within my foresaid Lordship of Manne at such certayne dayes & places as the foresaid auditours lymytyn.]

And also I ordayne & constitute the foresaid Thurstan & Rog^r my generall Commyssioners to here and to determine all manner of Treasons, Felonyes, Offences, Concealments, Trespas, Kherells, & all other demands partenyng to the Law & Custome of my foresaid Lordship of Manne as well at myn aune sute as at the sute of parties. And whatsoever the foresaid Thurstan & Rog^r done & ordeyne in all poyntes before rehersed, I hold firm & stabull, & therefore I charge & I command my Lewtenant, the Byshop, the Abbott, all Deemsters, Barons, Reseveyors, Coroners, Cunstabulls, Saudious, Graives, Bailleves, & all other loyall & true men wythin my foresaid Lordship of Manne, being present at the bene to the foresaid Thurstan & Rog^r in all things attendant & obedyent, upon the payne that hereto falls.

In Wyttnes of the which thing I have sett to my Seall me wyttness and at my Castell of Rysshon, the 27th day of Novembre the year of Oure Lord, a Thousand foure hundred and Seventeen.

INDENTURE

OF

1417-18.

A.D. 1417. Hæc Indentura facta int. Thurstanū de Tyldestey Rog^m Haysnap, Commissionaⁿ Dñi Johis. de Stanley Dni. Manniæ & Insulas ex unâ parte, et Johen Clerk, Judicem Manniæ, Will^m Skerf, Reginald Stevenson, Will^m de Yvenowe, Iohen Rede, Gilbt^{um} M^cWanty, Pat. M^cGon, Andrew Johen M^cRenyn, Gilbt^{um} M^cHaughan, Pat. M^cKane, Will^m Alisandre, Pat. Tomelynson, Gilb. M^cIsack, Gilb. M^cAndras, Marcum M^cOtt, Donald M^cCryne, Donold M^cBrewe, Will^m M^cCrystyn, Will^m Abelson, Doncan Abelson, Johen M^cFergus, Hug. M^cKnalytt, Johen M^cScaly, Pat. M^cHelly, & Andrew Reynesson, xxiiij. Claves Mann. ex alt. Testat. q^d predicti xxiiij. Claves legis cum judice Mann. dicunt, & pro lege comuni judicant q^d quicumque ligeus tenens aut ligei Dñi Mann. foresfecit seu foresfecint in aliqua causa felonie & prodicionis fugans, retrahens, aut removens a terra Doni. Mann. in Libertates Baronum & inde requisitus fuerit seu fuerint, requisiti per Dominum Man. & ejus Ministros, ad revertendum ad terram & justificationem legis suæ, & si inde se excusat, aut se excusant, non concensiendo revenire & aliquis illorum Baronum infra Dom. Man eum vel eos, eam vel eas retineat seu retineant pretextu libertatun suarum seu libertatis sue, seu aliqua alia causa emergentiæ, q^d tunc forisfaciet Dno pro quolibet delicto retentionis pro aliqua causa supradicta lx^a, & et de corpore predicti transgressoris in aliquibus causis supradictis delinquentis respondeat vel respondeant, ad gaolam Dni. Man., et hoc sub pœna forisfacture ònium Libertatum suarum in Man. seiscitarum Item dicunt & pro lege comuni judicant quod nullus ligeus tenens Doni. neque serviens infra Dom. Man. exeat, Removeat neque retrahat a terra Domi. ad terram aliquorum Baronum ad moram trahendam sine Licencia Dni. sub pœna supradicta pro feloniis.

In cujus rei testimonium tam predicti xxiiij. claves legis & judex, quam predicti Comms. sigilla sua alternatum apposuerunt. Datum apud Castrum de Russhen die

Martis xviij. Die Januarii Anno Dom. Millesimo cccc^{mo} A.D. 1417.
xviij^o, et Regalitatis Domini Man. quinto.¹

In this Book ensueth diverse Ordinances, Statutes, and Customes, presented, reputed, and used for Laws in the Land of Mann, that were rattified, approved, and confirmed, as well by the honourable Sir John Stanley, Knight, King and Lord of the same Land, and diverse others his Predecessors, as by all Barrons, Deemsters, Officers, Tennants, Inhabitants, and Commons, of the same Land.

1. OUR DOUGHTFULL AND GRATIOUS LORD,² this is the Constitution of old Time, the which we have given in our Days, how yee should be governed on your Tynwald Day. First, you shall come thither in your Royal Array, as a King ought to do, by the Prerogatives and Royalties of the Land of Mann. And upon the Hill of Tynwald sitt in a Chaire, covered with a Royall Cloath and Cushions, and your Visage into the East, and your Sword before you, holden with the Point upward; your Barrons in the third degree sitting beside you, and your beneficed Men and

Form of
Tynwald
Court.

¹ The following is a translation :—

This Indenture made between Thurstan de Tyldestey and Roger Haysnap, Commissioners of Lord John de Stanley, Lord of Mann and the Isles, of the one part, and John Clerk, Deemster of Mann, William Skerf, Reginald Stivenson, &c., the 24 Keys of Man of the other part, Witnesseth, That the said 24 Keys of the Law with the Deemster of Man, say and adjudge for the Law of the Land, that whatsoever liege Tenant or Tenants of the Lord of Man shall have committed a crime in any case of Felony or Treason, and shall have fled, withdrawn or removed from the Land of the Lord of Man into the liberties of the Barons, and shall have been required by the Lord of Man or his Ministers to return to the Land and to a lawful trial, and if he or she excuse himself, or themselves, not consenting to return thence, and if any of those Barons under the Lord of Man shall retain him, her or them, under pretext of their liberties, or his or her liberty, or from any other cause whatever, then he shall forfeit to the Lord for every such offence of retention 60s., and shall answer for the body of the aforesaid transgressor, at the prison of the Lord of Man, and this under penalty or forfeiture of all his liberties possessed in Man. They also say and adjudge for the Law of the Land, that no liege Tenant or Subject of the Lord of Man shall go, remove, or withdraw from the Land of the Lord to the Land of any of the Barons, for purposes of delay, without the Lord's Licence, under the penalty above mentioned for felonies. In testimony of which the said 24 Keys of the Law and the Deemster along with the said Commissioners have affixed their Seals interchangeably.

Given at the Castle of Rushen, on Tuesday the 18th day of January, A.D. 1417, and the fifth of the Reign.

² Sir John Stanley II. who succeeded to the Lordship of Man in 1414.

your Deemsters before you sitting ; and your Clarkes, your Knights, Esquires and Yeomen, about you in the third Degree ; and the worthiest Men in your Land to be called in, before your Deemsters, if you will ask any Thing of them, and to hear the Government of your Land, and your Will ; and the Commons to stand without the Circle of the Hill, with three Clearkes in their Surplisses. And your Deemsters shall make Call in the Coroner of Glanfaba ; and he shall call in all the Coroners of Man, and their Yards in their Hands, with their Weapons upon them, either Sword or Axe. And the Moares, that is, to Witt of every Sheading. Then the Chief Coroner, that is the Coroner of Glanfaba, shall make Affence, upon Paine of Life and Lyme, that noe Man make any Disturbance or Stirr in the Time of Tinwald, or any Murmur or Rising in the King's Presence, upon Paine of Hanging and Drawing. And then shall let your Barrons and all other know you to be their King and Lord, and what Time you were here you received the Land as Heyre Apparent in your Father's Days. And all your Barrons of Man, with your worthiest Men and Commons, did you Faith and Fealtie. And in as much as you are, by the Grace of God, now King and Lord of Man, yee will now that your Commons come unto you and shew their Charters how they hould of you. And your Barrons, that made no Faith nor Fealtie unto you, that they make now.

Coroners to
be called.

Barons and
Commons to
do Fealty,

Show their
Charters.

If Barons
make not
Fealty in
Forty Days
to forfeit
their Land.

Watch and
Ward.

Penalty for
conveying
persons out
of Island.

2. And if any of your Barrons be out of the Land, they shall have the space of Fourty Days. After that they are called in to come and shew whereby they hould and clayme Lands and Tenements, within your Land of Man ; and to make Faith and Fealtie, if Wind and Weather served them, or els to cease their Temporalties into your Hands. And then to proceed in your Matters, whatsoever you have there to doe, in Fellony or Treason, or other Matters that touch the Governance of your Land of Manne. First, that Watch and Ward be kept through your said Land as it ought, upon Pain of Life and Lyme ; for whosoever fails any Night in his Ward, forfeiteth a Wether to the Warden ; and to the Warden the seacond Night a Cowe ; and the third Night Life and Lyme to the Lord.

3. And to charge all Manner of Men within your said Land to be ready at your Calling, upon Paine of Life and Lyme. And then to ordaine and proclaime, that neither Vessell nor Boat take any Man out of this Land, upon pain of Forfeiture of his Vessell and Goods, and restoring the Man into the Land again, he paying the Debts that he oweth unto the Lord. But if it be the Shipmen or Merchants that to Day come into the Land, and pass again at the next Wind ; and noe Man that is resident within the said Land without a special Lycence. Alsoe, when you send your Lieutenant into your Land

of Man, and cometh thither received as Lieutenant, in setting of Lands, Courts houlding, and all other Governances we give for Law, that all his Deeds be firm and stable, and what Man offendeth to him be punished, as they that offend to the Lord.¹

Lieutenant
the Lord's
Representa-
tive.

4. Alsoe, whosoever is borne and resident within your Land of Man, though he had paid his Debts and Farme, he ought not to goe out of your Land without a speciall Lycense; and if he doe, the Law is told you in the Governance of Tynwald. But if he goe himself away with any Boat of his own, or if he steale any Mans Boat, he is a Fellone; and if it so may be found, he forfeiteth his Goods, whose Tennant soever he be.

Leaving the
Land with-
out License.
Felony.

5. Alsoe, whosoever occupieth any Parcell of Land, within your Land of Man, with Cattle or with Manure, (except he be any of your Tennants Julaynes) he ought to pay the value of that which he occupieth without Quest setting or Farm taking, at your List by your Law.

Occupiers of
Land to pay
Value to the
Lord.

6. Alsoe, whosoever is sett by Enquest sworn, whether he be poor or rich, he shall pay it if he have any Goods that occupieth the Land of the Lord, either in Herbage or Manure. And if he have no Goods in time of setting, the Quest shall pay for him, for putting him in the Rowles that hath noe Goods; and then he to be put in service, or else to take *v.s.* in a Farme, and to find Sureties of Payment by our Laws of Manne.

Lord's Ten-
ant to pay
Rent—if he
have no Good
Enquest to
pay for put-
ting him on
the Rolls.

7. Alsoe, whereas it is said, that the Porter of your Castle, your waged Yeomen within your Garrison Dwelling, should beate your Tennants when they be brought into Prisson, and taketh of them more than their Fees, that ought not to be redressed before your Deemsters, but before your Constable within your Garrison in which the Fault is so committed, by our Law of Manne.

Garrison.
regulations.

8. Alsoe we give for Law, that a Castle Maze be paid out of five Maze of Herrings in a Boate taken, and Halfe a Maze out of two Maze and a Halfe in a Boate gotten, as oft as they goe to Sea and gotten soe; and that is our Law by Custome and Usage; and the Lord to pay *vj s.* for a Maze thereof, provided that the Bringers of the first Maze shall for the same have *iiij s. iiij d.*²

Castle Maze
of Herrings.

9. Alsoe touching the Carriage of your Turves, all your Tennants of your six Sheadings ought by our Laws, to carry your Turves to your Places, as pleaseth you to have them, with all other Carriages, Suite, and Servises, that are needfull to you within your Land of Man, for it is Use and Custome of longe Time.³

Lords Turf
to be carried
by Tenants.

10. Alsoe it is Use and Custome of long Time, that the Moars of every Shedding, pay two Marks of Office Silver Yearly to the Lord; for it hath been used in divers Lords Days, and soe we now give for Law to be paid.

Moars to pay
Two Marks
to Lord.

11. Alsoe it is our Law, that no Coron. arrest any Man for Debt owinge, unless he have a speciall Warrant from

Coroner's
Arrest.

¹ See Ordinances, 1422, No. 52, confirmed by "Laws and Orders" of 1687, sec. 1, and repealed by Act of 1737, sec. 9.

² Repealed by Statute of 1777, Chap. 1.

the Lord or his Lieutenant; but in Points of Fellony, or delivering of Servants, or for Surety of the Peace, with many other Points that belong unto his Office, he ought to do these by vertue of his Office without Warrant.

Penalty for
falsifying
Setting Quest

12. Alsoe, whatsoever Enquest the Lord or his Lieutenant taketh to sett his Land by their Oathes, there ought noe Man to falsifie them, for whosoever doth he forfeits iij £ to the Lord, if it may be proved or knowne.

Council.

13. Also it is lawfull to any of the Lord's Councell to stirr or move any Man to doe that may profit the Lord truly.

Rising
against
Governor.

14. Alsoe, for as much as the Riseing was made at Kirk Michaell upon the Lieutenant that represents the King's Person, his Officers, and his Men, those that the Lieutenant saw rise over him there without Craveing of Law, is this, that they be first drawne, and hanged, and quartered, and their Heads stricken off, and sett upon the Castle Tower over the Burne, another Quarter at Halland Towne, and the third Quarter to be sett at Ramsey, and the fourth at Douglas.¹

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*Jenkin Moore and John Christiane, Deemsters, by the Advice and Councell of xxiiij of the Land, sworne by the said Deemsters the seacond Day of December, Anno Domini, 1419, have given for Law these Points following :*

Felo de se.

**1.** First, that whereas the late Wife of John Moore did perish herself, all such Goods as were belonging to her, is the Lords by his Prerogative, except such Goods as belong to the Coroner, which we say is Corbes, viz. her uttermost Garment, broken haggard, all Beasts under threc Years old, her Part of the Houses, these Goods being found free. Itm. the Deemsters to have iiij s. and the Moare iiij s. or els the third Penny. Itm. they say that such Costs as were made upon her Buriall, to be none of her Part of Goodes, for they were forfeited unto the Lord before.

Debts and  
forfeiture.

**2.** Alsoe they say that the afforesaid Woman that perished herself can pay noe Debts, because the Child that John Moore had by his Wife can have no Part of her Mothers Goodes, except the which was given her at the Font Stone. Also we say that all the whole Debts should be paid out of the whole Goods, and after that the Forfeit above said to be my Lords and his Officers to be of the free Goodes.

Vicars of  
Pension not  
to pay  
Corbes.

**3.** Sir Willm. Inch, Sir Phillip Skillicorne, Sir Huan Norres, Sir James Clarke, Sir Thomas Stevenson, Sir John Moore,

<sup>1</sup> Rising against the Governor or Lieutenant or Council treason. See secs. 21 and 22 of Ordinances of 1422. Repealed by Criminal Code of 1817, sec. 7.

Robt. Norres, John Gawen, Jo. Moore, Robt. Norres, Robt. Matherell, and Willm. Stevenson, doe find by our Oathes, that all Viccars of Pencion shall never pay any Corbes to any Prieste or Corps present, nor noe waged nor hired Priest, noe Clearke, Silver.

4. All Viccars of Thirds shall pay Corbes, if they have them free, viz. one Pair Bedstocks, a Portasses, his Board and Tressell, a Chaire and a Forme, a Spooone if he have it, a Pott or a Pann, a Broach and a Pair of Goberts of Iron, and a Rackentree, if it be to be had. Corbes payable by Vicars of Thirds.

5. Henry M'Gawn, Willm. McQualtrough, with the rest of their Fellows, to make xxiiij do find that these ought to be Corbes partaining to a Man, as if his Father have a Pann, his Son to have it, or els his best Pott, a Jack and a Sallett, Bowes and Arrows, Sword and Buckler,<sup>1</sup> his best Board and best Stoole, his Coulter and Rakentree, his best Cup if it be of Wood and bound with Silver and Gilt, his best Chest. Corbes for a Man.

6. Corbes for a Woman, the best Wheele and Cardes, Rackentree, a Sucke or els a Mank's Spade, the best Beade of Jet or Amber, the best Broach, the best Cross, the best Pott or Pann. Corbes for a Woman.

7. Alsoe we find that the Barrons ought to have noe Title to any Person that is borne out of the Countrey, and that cometh into the Land, he ought to be put into the Lord's Farme before any other. Service.

8. Alsoe we find that the poor Tennants that disobey the Coroner for my Lord his Business, and be brought to the Castle or Peele, should pay no fine to the Coroner nor to the Porter, because they stand in my Lord his Grace of iiij £. And that my Lord may punish any within the Castle that will not do his Commandment, paying noe Fee but at my Lord his Pleasure. Fine for disobeying Coroner.

9. Alsoe that noe Moar shall go for any Custome noe further than his Charge sheweth him; and that the Moar shall not take any Stouckes of Corne, except it be given him of free Will, for it is no Custome. Moar's Duty.

10. Alsoe we find that the Coroner ought to have noe Custome of any Man but of him that beareth Rent to the Lord; and if it be but a Penny Rent, he shall pay the Coroner his Duty. The Moare to be free of all Manner of Customes, as my Lord maketh him, without paying the Coroners iiij d. for it is noe Duty; the Meaning of this Statute is, that iiij d. Fee shall be paid yearly out of every Coroner's Dues.

<sup>1</sup> Repealed as to Weapons and others substituted by Statute of 1748, Chap. 5.

Quarter to the Coroner. And whosoever holdeth noe Lords Land but only Intacks or Cottages, shall pay but a Penny, if he hould but iij s. iij d. Rent, and above iij s. iij d. Rent, to pay ij d. and no more.

*Our most Gracious and excellent Lord, Sir John Stanley, King of Man and the Isles. In the Vigill of our Lady St. Mary, An. Dom. 1422, att his Castle of Rushen, asked his Deemsters and the xxiiij the Laws of Mann in these Points under written. To the which the said Deemsters, with the xxiiij gave for Law, that these be Points of your Prerogatives.*

Outlawry.

1. If any manner of Person be outlawed within your Land of Mann, he shall not be inlawed without your spetiall Grace and Pardon, proclamed and cryed through-out your six Sheadings, and at the Tynwald the Seaventh Court, to be called with the Moare of Glanfaba. And if any such Person soe called, answer not, then upon the Record of the six Moars then present, having with them two Witnesses that they were called in the six Sheadings, and appeared not there by open Proclamation, to be outlawed.

Person out-lawed not to return unless pardoned.

2. If any Man within your Land of Man be of Record foreigned in your Court, or any of your Barrons Courts, for Stealth, or otherwise to forswear the Land, he shall never come into your Land again without your speciall Grace and Pardon. And whosoever within your said Land relieves or receipts any Person, after that he is outlawed and for-reigned as it is recited before, he forfeiteth his Body and his Goods to the Lord's Pleasure.

Persons receiving Outlaw.

3. Alsoe, if the Bopp. or Abbott, or any other Barron within your Land of Man, receipts any Outlaw after that he is outlawed, without your spetiall Grace and Pardon, he forfeiteth his Temporalty unto your Grace.

Wrecks.

4. If any Vessell or Ship or any other Goods be imbayed within the Heads of Mann above Water or under Water, it is the Lord's by his Prerogative.

Royal Fish.

5. Alsoe if any Porpus, Sturgeon, or Whale, be taken within the Heads of Man, they be the Lord's by his Pre-rogatives.

Game.

6. Alsoe if any Hawke or Hyron, Hart or Hind, be by any manner of Person taken within your Land of Man, he forfeiteth for every Time iij £ to your Lopp.

7. Alsoe whosoever foresetts the King's Highway for Foresetting any Man, either to beate him or slay him, by Night or by Highway. Day, he forfeits his Body and Goods to the Lord his Pleasure.

8. Alsoe if any Alien, resident within your Land of Man, which maketh no Faith nor Fealty to the Lord, when he dyeth, (whose Tennant soever he be) the Lord shall have his Goods. And if any such Person or Persons maketh any Testament, that standeth of no effect or Value in the Law; but after Fealty made this Prerogative ceaseth.<sup>1</sup>

Aliens not swearing Fealty to forfeit.

9. Alsoe if any Manner of Person within your Land of Man be outlawed, he shall not be inlawed without your speciall Grace and Pardon, proclaimed throughout your six Sheadings. The Forme and Process of outlawing is this: First, it ought to be made in your six Courts of your six Sheadings, and at the Tinwald the vijth Court to be made and called in with the Moare of Glanfaba; and if such Person soe called answer not, then upon the Record of the six Moars there present, having with them two Witnesses that they were called in the six Sheadings, and appeared not, such Persons shall, upon Proclamation, be outlawed.

Form of Out-lawry.

10. Alsoe if any Alien, that noe Faith nor Fealty hath made to the King, forfeit in any Case Life or Lymne, and before judged in it, though it be Theft in Hand, or out of Hand found, though he put him to the Lord's Grace before the Verdict be given, or Knowledge made, the Lord needs not to receive him to Grace, except he list by the Laws of Man.<sup>1</sup> But if he be his Borne Man, or els hath made Faith or Fealty, and put him in Grace, if he be indicted, and no manner on his hand, or the Verdict be given, he ought, by the Law of Man, to have his Life, but he must forfeit his Goods, and then shall he have his Choice of three Things by the Deemsters Judgement. First, he shall choose whether he will rest in Prison a Yeare and a Day, with Sustenance of the Prison, viz. he shall have Bread, one Part Meale, and another Part Chaffe of the same Meale, and the third Part Ashes, and to drink of the Water next the Prisson Doore; the second is to forswear the King and all his Land, or els for the third to pay the King iij £.<sup>2</sup>

Forfeiture by Aliens and others putting themselves Lord's Grace.

11. Alsoe if any Man have done any Point of Treason, and taketh Sanctuary for Dread of Punishment, the Sanctuary shall not avayle him by the Law of Man.

Sanctuary.

12. Alsoe if any Manslayer have taken Sanctuary, and within three Days after the Sanctuary taken, the Coroner cometh to him, and he acknowledgeth not what he hath done, the Coroner shall, by the Law of the Land, take him out of the Sanctuary, and if he will not acknowledge his Fault, the Coroner ought to make three Proffers: First, whether he will forswear the King and his Kingdome, or he will put himself under the Coroner's Yard, viz. obey or come to Jayle, and abide the Law or Grace, or he will abide within Sanctuary during the Space afforesaid. And if he choose to forswear the King and his Kingdome, and takes unto a Harbour, the Coroner ought to sett him in the King's Highway, and cutt him across. And if he houlds

<sup>1</sup> See Ordinance, 1429, sec. 4. Repealed by Statute, 1697, Chap. 2.

<sup>2</sup> Repealed by Criminal Code of 1817, sec. 54.

not the King's Highway, and if the Coroner find him without it, he may arrest him by the King's Yard, and bring him to the King's Jayle, whether he will or not; and whosoever disturbs the Coroner in executing his Office, forfeits Life and Lymne. And if his Enemie say he took him before the Coroner, he ought to prove that by two Witnesses.

Lieutenant  
may take  
Enquest.

**13.** Alsoe we give for Law, that our Lord or his Lieutenant may take any Enquest at his own Will and Pleasure.

Treason.

**14.** Alsoe whosoever robbes or spoils the Lieutenant of his Horse, or any Weapon of his in Court, and Fence made, he is a Traytor by our Law.<sup>1</sup>

**15.** Alsoe whosoever beats the Lieutenant's Men in his own Presence, and robbes them of their Goods, he is a Traytor; or whosoever beats his waged Men in his Presence, beates himselfe, saving the more Feare of his Person.<sup>1</sup>

**16.** Alsoe whosoever breakes Church or House upon the Lieutenant or any of the King's Councill in his Presence, although there be no Harme done, but murmur and open rising in his Presence, he is a Traytor by the Law of Man.<sup>1</sup>

**17.** And whosoever constrayneth the Lieutenant by any Means to hould a Tinwald, or any manner of Thing els by Constraint, he breakes the King's Royalty, and that is high Treason.<sup>1</sup>

Treason.

**18.** Alsoe whosoever constrayneth the Lieutenant to put down the Lord's Customes or his Prerogatives at the Tinwald, he is a Traytor for the Constraint making by our Law.<sup>1</sup>

**19.** And whosoever comes with Force and Arms against the Lieutenant's Commandments, especially to the Tynwald, where they should have Right and Reason peaceably, and makes murmur and rising in his Presence, he is a Traytor by our Law.<sup>1</sup>

**20.** Alsoe whosoever pleadeth any Deceit against the Lieutenant, he is a Traytor by our Law.<sup>1</sup>

**21.** Or whosoever riseth against the Lieutenant, he is a Traytor by our Law, for that is against the Lord's Prerogatives.<sup>1</sup>

**22.** Or whosoever maketh Gathering or Councill in Prejudice of the Councill, he is a Traytor by our Law.<sup>1</sup>

**23.** Alsoe whosoever relieves or receipts Rebels, knowing the Rebellion, he is a Traytor by our Law.<sup>1</sup>

Falsifying  
Enquest.

**24.** Alsoe whosoever falsifyeth an Enquest after they be sworn, he forfeiteth iij £ to the Lord.

Perjury.

**25.** Alsoe whosoever is sworn, and after their Oaths proved false, they shall make Satisfaction by our Law, and reserve them to the Church for Perjury.<sup>2</sup>

Revealing  
the Lord's  
Council.

**26.** Alsoe whosoever is sworn, and after telleth the Lord's Councill or their own, he forfeiteth 3 £ to the Lord.

Victualling  
of Lord.

**27.** Alsoe we give for Law, that our honourable Lord be victualled when he is here himself, for as much as shall need to larder or Expences to take, that is to say, a Cow or of Beefe, Price iij s. at two Head Courts in the Yeare, of every Sheading two Martes, the Price of every Marte iij s. iij d. and when the Lieutenant is here, a Marte every Week with other Victuals, that is to say, the Price of a

<sup>1</sup> Repealed by Criminal Code of 1817, sec. 7.

<sup>2</sup> See Act as to forgery, perjury, &c., 1797.

Marte iiij s. a Mutton vj s. a Porke iiij s. a Lamb a j d. a Kidd ob. a Pigg a j d. a Goose ob. from Easter to Midsomer, and from Midsomer a j d. and this is by Use and Custome; and if you need more take more within your Land, and at the two Head Courts as it is rehearsed before, with all other Victuall of the Price afforesaid.

28. Alsoe we give for Law, that there was never xxiiij Keys in Certainty, since they were first that were called Taxiaxi, those were xxiiij free Houlders, viz. viij in the Out Isles, and xvj in your Land of Mann, and that was in King Orryes Days; but since they have not been in Certainty. But if a strange Point had come, the which the Lieutennant will have reserved to the Tynwald twice in the Yeare, and by Leave of the Lieutennant the Deemster there to call of the best to his Councell in that Point as he thinketh to give Judgment by. And without the Lord's Will, none of the 24 Keys to be. Ancient constitution and Duty of Keys.

29. And as to the Writeing of Laws, there was never any written since King Orryes Days, but in the Time of Michael Blundell, that we have Knowledge of. Originally no written law.

30. Alsoe we give for Law, that the Lord or his Lieutennant may hold a Court or Tynwald wheresoever pleaseth him, and doe Execution as oft, and whereas pleaseth him, within his Land of Mann, except the Passion Week, at which Time Execution of Life and Lymne ought not to be done; but as for Courts of Challenge, all Times in the Yeare, an Execution to be done. No Execution in Passion week.

31. Alsoe if any Man of Holy Church, that is to wit, Parson, Viccar, Parish Priest, Secular Priest, or Parish Clarke, make any Offence to the King's Officers, that is to say, if to the Moare Amercement of vj s. viij d. And if he do it to the Coroner he shall loose iij £. And if the afforesaid Men of Holy Church loose any Amercement, we give for Law, that if the Distress be within the Stepps of Holy Church, the Lord his Officers shall goe to the High Sumner, and he shall deliver to the Lord his Officers a sufficient Distress; and if the Sumner will not so doe, the Lord his Officers shall goe in and take Distresse, or pawne himself. Fines &c. payable by Parsons, &c.

32. And also that every Plea that is between Party and Party pleaded, be written out of the Court Rolls, that it may be of Record against such Time as the like Chance falleth, what Judgement was given in that Matter. Pleadings to be recorded.

33. Alsoe that all greate Matters and high Points that are in Doubt, ever as they fall, I will that my Lieutennant, or any of the Councell for the Time being, take the Deemsters to them, with the Advice of the Elders of your Land Council, Deemsters, and Elders, to assist Lieutenant in cases of difficulty.



Decisions to  
be recorded  
for precedent.

of Mann, to deem the Law truely to the Parties as they will answer to me thereof. And that all doubtfull Points be always registred upp, and laid in my Treasurie, that it may be ready when such a Chance falleth, that one Doome or Judgment be not given at one Time, one Way, and another Tyme contrary.

Watch and  
Ward.

**34.** Alsoe that there be Watches all Winter, both in the Castle and in the Peele, and the Watch well searched, as the Time requireth.

Soldier's  
Arms.

**35.** Alsoe that every Officer and Soldier have Bowe and Arrows, sufficient Dublett or Habergion, a Sword and a Buckler, Spurrs and Saddle, upon Paine of Forfeiture of their Wages.

Reparations.

**36.** Alsoe that Reparations that are to be made, be sufficiently made at once, and not alwayes have new to make, upon Paine of Disallowance of the Cost made upon it.

Women  
forbidden  
Garrison.  
Duty of  
Officers.

**37.** Alsoe that noe Woman come within either of the said Houses without a speciall Warrant from my Lord.

**38.** Alsoe that all Officers governe their Offices as their Charge is, that noe Pride nor Presumption make Dissention amongst them, and their Service the worst done, but all draw one Way, to that which should be Profit for the Lord; and all Dissention left from henceforth, upon Paine of Forfeiture of their Fee, and discharging of their Office.

Provisioning  
Castle.

**39.** Alsoe that there be in the Castle x Bowles of Mault Ground, and x Bowles of Wheat, the Wheat to be put in Pipes, and the Mault laid upon a Floore, and in the Peel likewise.

Castle regu-  
lations.

**40.** Alsoe that the Comptroller be every Saturday at the Peele, and take the Household as he will answer unto me; and take the Steward, the Cooke, the Brewer, and Baker, and charge them on their Oathes to give a true Expence for the Week past; and this to be done upon Paine of forfeiting of his Fees. And in the same Manner every Sunday at the Castle Rushen.

**41.** Also that on every Monday, and other Days of Payment of the Moares, that the Comptroller sitt by and see the Delivery of the Money, and write it; and when the Payments are done, take the Money and put it in a Bagge, and the Lieutennant to seal it, and putt it in the Chest that the Bookes are in, and not to be opened till need be; either to send it to me, or what needful Expences the Lieutennant, the Receiver, and Comptroller, think needful to be done.

**42.** Also that the Comptroller all needful Expences forthwith as they are done, write them from Time to Time, and to send the Lord Word thereof, how he thinketh them governed well or evill, upon Pain of that belongeth thereto, and so thought by the Lieutennant, or els that they come by Warrant from the Lord to be done, or els that they be needful for the Places.

**43.** And that the Pinfolde be made as they were wonte to be in old Time; taking noe Keeper to noe new Rule, for I will have my Farme ruled as the Yeare asketh; but if any poor Man be, I will that he be eased for the Time.

**44.** And the Bishop, and Abbott, and Auditors, for the Time being, call before them all Manner of Officers, that is to say, Receivers, Comptroller, Clearke of the Rowles, and Stewards; and also all they that have been in Offices before them, and make them all to be sworne upon a Booke, to bring before them all Manner of Bookes, and Rowles of Accompts, and Ordinances, and all Escripts, and other Evidences, that toucheth the Lord his Prerogative or the Land, or any Matter that toucheth the Lord. And when you have them brought before you, that you see what is in the Tresurie, and write all, and lay all in the Tresurie again. And that there be none taken out till need require, upon Paine of Forfeiture of their Offices and Fees. And if any Officer neede any Thing that is within the Treasury, take him a Copy and let that Register lye still in the Treasury till need be. And that the Comptroller see that this be done every Quarter duly, and that to be houlden upon Paine to forfeit to the Lord according to the Law of the Land to all that breakes it.

Auditors to  
call Re-  
ceivers, &c.  
to account.

**45.** Forasmuch as before this Time, by Misrule and Willfullness of the Lieutennant and Receiver, the Law of Mann hath been misgoverned to them that they hated too rigorous, and to them that they did like over favourable, soe that oft Times, through this Misgovernment, the People have been wronged, and Profitt taken to the Lord, otherwise than the Law would. And whereas Profitt should be taken not done as the Law would for Favour. Wherefore be it ordained from henceforth, that the Officers be true principally to the Lord and the Laws of the Land, to be governed duely and truly betwixt the Lord and his Commons, and betwixt Party and Party, without Rigour, Fraud, or Colour. And that the Deemsters may give their Judgment at their Perills, saving ever the Lord's Prerogatives, and to be ruled by Advice of the Councel and the Deemsters.

Partiality  
and misgo-  
vernment  
prohibited.

Clerk of the  
Rolls.

**46.** And that the Clarke of the Rowles may make his Process after the Pleas and Points rehearsed before him at his Perill, so that by the Yeares end they may be seen whether they be lawfully governed or not.

Land  
Settings  
before Mid-  
summer.

**47.** Alsoe forasmuch as the Land Setting hath not been made in due Time, nor read to the People, whereby many have lost their Profitt of fouldinge and manuring that Year, and namely, new Tennants, which hath been great Hindrance and casting down of them.

Wherefore be it ordained that the Setting be made betyme before Midsomer to the People; and when it is read to them, the Lieutennant to make four Men of every Parish sworn to deliver to every one his Pennyworth after his houlding, and spetially to new Tennants.

Tenants to  
reside on  
and cultivate  
their hold-  
ings.

**48.** And also to see that every one manure and occupy to his Power his Lands, and Defence make, that they soe doe; and be resident upon their Land, the which Thing done, the People within the Yeare, if they be cherrished thereto, may be able to reare the Lords Rent of their Corne for the most Part, though there be no Herring Fishing; for by Default of Livery and Partition of Land, every one runneth to another and occupieth it, and then will each one meete other, and so they loose their Goods, which grieveth them worst than their Farmes, and the Lord never the better; and after the Setting be made, that there be noe Encrease nor Batement of noe Farme but if it be great need for the Lord, and that Encrease soe given in that it be of sufficient Persons, or els of sufficient Sureties, soe that he may be assured of his Goods.

Coroners.

**49.** And for as much as the Officers of the Mylenis Leads and Corroners be sett by the Lieutennant and [not]<sup>1</sup> given by the Clarke of the Rolls, that he might give them out by Times in Straites to the Moares, but holden still unto the Yeare's End. Therefore be it ordained that at the next Court after Midsomer the Coroners be made, and their Names entered into the Rolls of the Court, with the Sume that he taketh for to serve.

Coroners to  
hold office  
one year  
only.

**50.** Alsoe Milnes at the same Time, and Leades at the setting Time. And for as much as Coroners against the Law stand in Office for two or three Yeares together, and take Enquests of their own Affinity, and be lovers to indite where he ought evill Will for Malice. And also where that Enquest hath indited certain Persons, then the Coroner will defend them that be indited, and acquitt them that are soe indited, and indite them that were acquitted. And also

<sup>1</sup> Omitted in the original copy, but inserted in later MS. copies.

where no Presept or Charge is use to send Arreast upon the People and sett Fine upon them, which put them to great Value, to the Hinderance and Distruction of the Comonalty; wherefore be it ordained, that Coroners stand in Office but one Yeare, nor that he take noe Enquest but twice in the Yeare, by Commandment of the Lieutennant in open Court, by Enquest sworne before the Deemster, and there to be recorded, that he arreast noe Man without a Warrent, sealed recoverable, but for Treason and Fellony, or that the Peace be broken, and so governed as the Law of the Land will, in his Presence, or els required at the Suite of the Partie, and the Surities, at the next Court after be required.

51. Alsoe whereas Shipmen and Chapmen might have noe Lychense to pass the Land with their Goods and Cattle to reare the Lord's Farme as they were accustomed to doe, which hath been great Hinderance to the Land; for better it were for them to thrive upon there Merchandize than other forreigne Merchants and Chapmen.

Licence to  
Shipmen &  
Dealers.

Therefore be it ordained that every Chapman and Shipman have Lychense as oft as his Profitt serveth, for England, Ireland, and Wales, soe that he warne the Lieutennant, and have Lychense, to goe, and knowe if he have any Business and Cause to the Coast they goe unto, or backe again.

52. Alsoe that they take noe Tennants nor Servants out of the Land without Lychense of the Lieutennant, for noe Offence to them made, upon Paine of Forfeiture of his Vessell, and to pay the Farme of them that he carryeth away, and his Body to Prison: And also that he find Sureties to come againe if he have no Lychense.<sup>1</sup>

License to  
leave Island.

53. Alsoe every Munday the Chancery to be holden at the Castle, and these who will pursue any Warrant, either for the Lord or himself, for any Manner of Cause, or for any Manner of Arreast, that he may have Process out of the Court reasonable against that Day Seven night at Night, or els at the next Court of the same Sheading, that the Cause should bee tryed in, soe that every Cause have a lawfull Answer and Process as the Law will.<sup>2</sup>

Chancery  
Court  
weekly.

54. Alsoe be it ordained, that noe Barron have noe Sum of Money above £5. out of this Land, but in Merchandize, in Paine of the Forfeiture of the same Sume which he carryeth out of the Kings Land.

Taking  
money off  
Island.

55. Therefore be it ordained, that all Fines and Amerciements, after the Cause considered by the whole Councill, after their Power that offendeth, may be standenge.

56. Alsoe forasmuch as the Receivers have made Receipts and Reckonings with the Moares, of Payment for Victuall for the Lord, and to both the Places made Assignment;

Comptroller  
to be present  
at Payments.

<sup>1</sup> Repealed by Act of 1737, sec. 9.

<sup>2</sup> Chancery Court empowered to regulate its own proceedings by Statute of 1777, Chap. 4.

and also reckoning with the Steward for Payment of Repairs and other Things; and with Shipmen for their Freight and their Hyres, without Knowledge of the Comptroller thereof. Therefore be it ordained from henceforth, that the Benchquire be houlden every Munday, and there all such Receipts, Reconings, and Payments of Money, to be made before the Comptroller, upon Pain of Disallowance of the Costs and Payments made without Sight of the Comptroller; and also of Beasts taken up for my Lord at Pinfold, and praised of whome, and of what Price.

Gifts to  
Officers for-  
bidden.

**57.** Be it ordained also, that noe Officer take any Guifts of any Tennant, nor of any Person, upon Pain of forfeiting their Fee; and also that noe Officer nor Feedman be in Fee with noe Barron, upon Pain of the Forfeiture.

Keeping  
Pages.

**58.** Alsoe that noe Man ought to have any Pages within either of the said Houses, without spetiall Warrant, saving those that ought to have them of Right.

Treasury  
Books.

**59.** Alsoe there shall no Books goe out of the Treasury without Consent of the whole Councell, and in their Presence.

Allowance  
of Bread,  
Fuel, Can-  
dles, &c. to  
Officers.

**60.** And forasmuch as greate Wast hath been made in the Castle and Peele, in Bread, and also in Fuell and Candles; therefore be it ordained, that the Lieutennant have one Loafe Bread, one Gallon of Ale, two Candles in Somer, and three in Winter, and reasonable of Fuell every Night from Allhollowday till Easter; and iij Men and one Page; iii Horses at Hay, with xx Bowles Oates at the Lord his Price. And the Receivers to have a Pottle of Ale, Halfe a Loafe Bread, one Candle in Somer, and ij in Winter, and reasonable of Fyre in the same Manner; and one Man a Piece, two Horses at Hay, and xij Bowles Oats. The Clarke of the Rowles one Quarte of Beere, one Candle in Somer, and two in Winter, and vj Bowles Oates. The Comptroller one Quarte Beere, one Candle in Somer, and ij in Winter; j Horse at Hay, and six Bowles Oates, with one Page. The Constables of both the Places, either a Quarte of Beere, Halfe a Loafe Bread, ij Candles, Fuell in Winter reasonable, and ij Turves a Night in Somer to search the Watch, and the Water Bayliffe to have as the Receivers afforesaid, and noe more Liveries without spetiall Warrent from the Lord.

Removal of  
Soldiers.

**61.** Alsoe, it is ordained that no Soldier be taken into either Place, or put out, without knowledge of the Lord, but in needfull causes.

Household  
regulations.

**62.** Alsoe that no Soldier of the one House be received into the other, upon Paine of Forfeiting his Fee, at Meate or Drink, except he come on the Lord his Business.

**63.** Alsoe that noe Soldier hould continually a Leman within a Mile of either of the said Houses upon Paine of Forfeiting of his Fee.

**64.** Alsoe that no Feedman or Soldier buy or sell without the Lord his Warrant, upon Paine of Forfeiting of his Service and Wages.

**65.** Alsoe that noe Yeoman have Meate or Drink except he have been on the Lord his Business but at the Bell.

**66.** Alsoe that your Men goe not forth of the Places without the Knowledge of the Constable.

**67.** Alsoe that noe Soldier, nor other Man, make any Deputy within either of the Places, upon Paine of Forfeiture of their Fee, Imprisonment of their Body, and to make Fine and Ransome to the Lord ; this standeth.

**68.** Alsoe the Receivers of both the Places to see them victualled sufficiently at the Beginning of the Year, or els to pay for the Victualling of them themselves ; but if it be not soe done, he to be discharged presently.

**69.** Alsoe that Salt be received to neither Place but by Indenture, and the same Indenture to be delivered to the Comptroller without Excuse, upon Pain of Disallowance of the same Salt.

**70.** Alsoe forasmuch as the Receivers, before this Time, made Payment to the Lord without Knowledge of any Officer or Comptroller, which if any Vessells that bare such Payments were perished, (as God defend) it might be said it were a greater Sum then peradventure were delivered. Wherefore be it ordained, that noe Payment be made or delivered, but such as the Lord commands to be brought to him, with Knowledge of the Councell ; and that noe Part be left in the Treasury. And alsoe that it be compiled, upon Paine of Disallowance of the same Sume.

Payments to the Lord to be with Privy of Council.

**71.** Alsoe be it ordained, that noe Coroner standing, Feight or take Quarrell in Hand, nor Party nor Advocate in noe Place during his Office, but in the Lord his Causes

Coroner not to be advocate except for Lord.

**72.** Alsoe be it ordained, that the Water Bayliffe have his Deputy in every Haven, to make Defence in all Causes, and to make the Proffitts thereof, if any Forfeit be lawfully made in the Lords Behalfe, and to write what Goods is taken out of the Countrey, and what is brought in.

Water Bailiff to have Deputies.

**73.** Alsoe be it ordained, that if Arreast be made by the Water Bayliffe, that it may be given in the Accompt to the Clearke of the Rolls, soe that the Lord may have an Amerciament.

Arrests by Water Bailiff.

**74.** Alsoe that noe Man be in Prisson at the Suite of the Party for noe Debt nor Trespass betwixt Party and Party, but as the Deemster will order by Process.

Imprisonment for Debt.

Household  
regulations.

**75.** Alsoe that noe Mun pay the Porter any Fees, that cometh in for my Lord his Debts, but as the Deemster will give in for Law.

**76.** Alsoe that no Lieutennant, Receiver, nor any other Officer, shall have any Liveries to their Chambers; neither Bread, Ale, Candles, nor Fuell, but when they are in proper Person.

**77.** Alsoe if any Lieutennant, or any other Officer, conceale any Proffit or Revenues from my Comptroller, they shall loose their Fees for concealing or doing it singularly by himself against my Commandment.

**78.** Alsoe I will that my Receivers have the Governance of all Manner of Victuall that belongeth to Stores, as Wheat Mault, and Salt, and to be delivered by him to the Steward soe that there be noe Waste made, upon Forfeiture of their Fee.

**79.** Alsoe that the Lieutennant and Receivers, with too great Multitude of People, shall not ride into the Country for too great Costs Making, nor make noe Feast nor Gathering, nor Suiters to have any Answer there of their Suites, and that it be so declared unto them.

**80.** Alsoe I charge both Stewards of my two Houses that they be governed by my Receivers, as they will charge them, for the amending of excessive Expences, if there seem any, notwithstanding the old Governance aforesaid.

**81.** Alsoe that noe Man sitt at the high Table, but those, that have Gentleman's Wages, save the Comptroller.

**82.** Alsoe that the Receiver and Comptroller shall take Expences of the Household every Wecke, if they see any Wast to commune with the Lieutennant thereof, and to amend the same, or els to pay it themselves. If any of these Orders be broken by any of my Officers or Soldiers, that the Comptroller send me Word so soon as he hath Knowledge of it, and that it be not quenched upon Paine of Forfeiture of his Fee.

Clerk of  
Rolls to write  
Judgment on  
Parchment.

**83.** Alsoe that the Clearke of the Rowles write all Things Plaine with full Letters, and the Judgment thereof in Parchment, that if any like Cause come another Time, it may be found of Record in the Treasury of all Manner of Questions asked and given in by the Deemsters and 24 Keyes, that it may be of Remembrance in the Treasury, upon Paine of Forfeiture of the Clearkes Fee.

**84.** Alsoe the Receivers shall ask noe Allowance of noe Parcells paid, and if unpaid, in Paine of their Fee.

85. Alsoe that there shall neither Bopp. nor Abbott, nor Barron, receipt any Stranger or any other Person within their Houses, without Knowledge of the Lieutennant, what they are and from whence they came, or whether they shall goe, or what Condition they be of.<sup>1</sup> Stranger not to be received without License.

86. Alsoe that the Abbott receive noe Monke to be resident, nor any Priest, without Lycence of the Lord.

87. Alsoe that the Receivers pay the Soldiers at every Quarters End, soe that noe Complaints be made thereof, upon Paine of Disallowance of their Fee.

88. Alsoe that the Comptroller call them forth suddenly to muster, and whosoever will not be sufficiently furnished, to loose his Years Wages.

89. Alsoe that the Bookes be put into the Treasury and locked with iiii Keyes, the Lieutennant to have one Key, the Receivers either a Key, and the Comptroller a Key. Treasury.

90. Alsoe that my Receivers repaire bothe the Places sufficiently, according to the Advice of my Lieutennant his Councell, and my Comptroller, and those that are now to be repaired by the Advice afforesaid, and they to be made privy to the Costs thereof; and this to be done at their Warrant, soe that from henceforth there be noe Decay for default of Reparations in Time, in Paine thereof that faileth. Repairs of Castles. ✓

91. Alsoe that my Mine be sett forward by my Lieutennant, Receiver, and Comptroller, for my most Profit, and that they see the Miner doe his Duty and not to fale therein, for noe Manner of Cause, or els to make Writing, for I will not that he have Entertainment without Pains takeing. Lord's Mine.

92. Alsoe where before this Time the Comptrollers of this Land have been greatly hurt by Merchandize, by carrying them forth for their own Gaine, such Merchandize as be brought into the Country by Strangers to sell by privy Bargaines, ingrossing all or the greatest Part thereof to their own Profit, and then selling the same to the Countrey by their Prices. Therefore be it ordained, that noe Manner of Person bargain nor buy any such Merchandize before it be seen and allowed by the Lieutennant and Councell; and that they shall appoint six or four discreet Men of the Country to be solemnly sworne to the said Merchants, to endeavour them truely to make Bargaine for the Profit of the Land, soe that the Buyers of the Countrey shall have the Preferment thereof at the Sight of the Lieutennant and the Councell to be to the Lord his Use, in Consideration of Return and Course of Merchandize, provided not- Imports.

<sup>1</sup> Repealed by Statute, 1697, Chap. 2.



withstanding that the Lord be served first of such Stuffe to the Use of himselfe or his Houses, and that noe Man do contrary to these Ordinances, upon Paine of Imprisonment, and making Fine and Ransome to the Lord.<sup>1</sup>

Alien  
merchants.

93. Alsoe that no Alien coming into any Haven in Man, with Merchandize or other Wares, pass abroad into the Land noe further, but to the next Parish Church, upon Pain of Forfeiture of his Goods and his Body to Prison.<sup>2</sup>

Merchants  
taking money  
out of island.

94. Also be it ordained, that Merchants have any Money out of the Land, and so to be certified by the Lieutenant and Councell.

Scot's to  
avoid land.

95. Also that all Scotts avoid the Land with the next Vessell that goeth into Scot land, upon Paine of Forfeiture of their Goods, and their Bodys to Prison.<sup>2</sup>

Beggars.

96. Noe Forraigner except he take the Oath of Allegiance.<sup>2</sup>

97. Alsoe that no Man bring Beggars or Vagabonds into the Countrey, upon Pain of Forfeiture of his Boate.

Farms to be  
enclosed.

98. Also be it ordained, that it is lawfull for every Person to enclose his Farme Land, and keep it severall all Tymes in the Yeare, and if any Man do hurt him, or let him in executing of the same, he to complaine, and he shall have Remedy as the Law will.

Setting  
Corn.

99. Also that every Man bring in his Setting Corn yearly, after his Ability, betwixt Michaelmas and Christmas to both the Places, or Candlemas at the furthest, at the Receivers perill, and that the Officers tooke of every Tenant such Corne as groweth on their Grounds of the best they have, except certaine for Seede.

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The Court of all the Tennants and Commons of Man, holden at Kirk Michael, upon the Hill of Reneurling, before our doughtfull Lord Sir John Stanley, by the Grace of God, King of Mann and Th'isles, the Tuesday next after the Feast of St. Bartholomew, in the Year of our Lord God 1422.

Fealty by
Bishop.

1. In the which Court the Bishop of Mann was called to come to doe his Faith and Fealtie unto the Lord, as the Law asketh, and to shew by what Claime he houldeth his Lands and Tenements within the Lordship of Mann, the which came and did his Faith and Fealtie to the Lord. The Abbott alsoe of Rushen, and Priors of Douglas, were called to doe their Fealtie, and to shew their Claimes of their Houldings, Lands and Tenements, within the Lordship of Man; the which came and did their Fealtie to the Lord.

Abbot of
Rushen.
Prior of
Douglas.

¹ See Act of 1637 as to forestalling, &c.

² Repealed by Statute, 1697, Chap. 2.

The Prior of Withorne, in Galloway, the Abbott of Furnace, Prior of the Abbott of Bangor, the Abbott of Saball, and the Prior of St. Beade, in Copeland, were called in and came not; therefore they were deemed by the Deemsters, that they should come in their proper Persons within xl days, and if they came not, then to loose all their Temporalties, to be ceised into the Lords Hands in the same Court.

Prior of Withorne,
Abbot of Furness
Bangor & Saball. Prior of St. Bede.
Forfeiture.

2. It is ordained and proclaimed that all the Watches and Wardes upon the Ports and the Coasts of the Sea be well and duely kept, and whosoever failes he forfeits all his Goods to the Lord and his Body at the Lords Will.

Watch and Ward.

3. Alsoe it is ordained and proclaimed in the same Court, that noe Man, of what Condition soever he be, goe out of the Land, without speciall Lycense of the Lord or his Lieutenant, with Vessell, upon Paine of Forfeiting the Vessell and all the Goods therein.¹

Leaving the Land.

4. In the same Court all these Laws of Mann are confirmed by Sir John Stanley, by the Grace of God, King of Mann and the Isles, and by the best of the Commons of the Isle of Mann, that is to say, William Scarff, Raynold Stevenson, and others.

Confirmation of Laws.

5. In the same Court Hawley M'Issacke was arraigned for that he feloniously rose upon John Walton, Lieutenant of Mann, sitting in the Court of Kirk Michael, upon Tuesday next after the Feast of Corpus Christi, in the Yeare of our Lord God 1422, and Men there being with him, did beate and misuse the Lieutenants Men in the Church and Church-yard. And there Hawley M'Issacke came and utterly withsaid all his Deeds, and put him to the Country and to the Deemsters. And the Deemsters answered and said, For as much as it was done trayterously to rise upon the said Lieutenant, and he seeing it, the Law of the Land deems that he should not be received to Quest; for he rose with strong Hand, and therefore the Law deems that the said Hawley ought to be drawne with Horses, and after hanged and headed; and after the Judgment given, he put himself to the King's Grace.²

Treason.

6. And in the same Court Finloe M'Cowley, Mould M'Owen, Willm. M'Curghey, Lawrence Banestor, and Finlow M'Caighen, were arraigned; that they feloniously and trayterously rose upon John Walton, Lieutenant of Man, sitting in the Court the Day and Year above said, to kill him; the which appeared and withsaid the Treason, and therefore put them to Inquest; and to this the Deemsters answered and said, for as much as they rose against the Lieutenant to kill him; therefore the Law is, that the said Finlow M'Cowley, Mould M'Owen, W. C., L. B., and F. M'C. to be drawne with Horses, and their Heads smitten off; and after Judgment given, they asked Grace of the King.²

Treason.

7. And in the same Court Gilbert M'Carraigne, Donold M'Kissag, Peter M'Gilconill, Donald Waterforth, and Gubon-John Norres, and Gubbon M'Crowton, were arraigned for traiterously rising against John Walton, Lieutenant, him to kill, sitting in the Court at Kirk Michael, the Day and year abovesaid, and his Men there with him being beaten in the Church and Church-yard, the which Gubbon with all his Fellows put themselves to the Lord's Grace.²

Treason.

8. And in the same Court Donald M'Craine, Son of Patrick M'Craine, was arraigned as others above, and appeared and acknowledged the Treason, and put himself unto the Lord, and the Lord of his speciall Grace forgave him the Treason.²

9. In the same Court Mould M'Christine and John M'Hawe were arraigned of Treason, for rising against John Walton, Lieutenant of Man, at the Tynwald, and acknowledging that they would have putt him down, and the Laws of the Land, and constrained the Lieutenant there; and upon this they answered and said, not Guilty, and that they would be tryed by God and the Country. The Deemsters answered and said, insomuch as they have committed Treason to constraine the King, his Lieutenant,

Treason.

¹ Confirmed by "Laws and Orders" of 1687, Sec. 1, and repealed by Act of 1737, Sec. 9.

² Treasons defined by Criminal Code of 1817, Secs. 1 to 7.

he seeing it, the Law is, the said Mould and John to be drawn with wild Horses, hanged, and after that their Heads to be cutt off, as it is above adjudged in the like Case.¹

10. In the same Court was Symon Kynnye arraigned as others above said, and put himself to the Lord his Grace.¹

A Court of all the Commons of Mann, holden at Tinwald, before Henry Byron, Lieutenant of Mann, upon Thursday next after the Feast of St. Mary, in the Year of our Lord God 1429: In the which Willm. Scarffe, Willm. Yvens, John Reade, Jenkin M'Qualtrough, John Nelson, Gubon Quanty, Finlo M'Key, Jenkin Lucas for Jenkin M'Nyne, Patrick M'John, Andrew M'John, Gubon M'Kissage, Willm. M'Alexander, Richard M'Cowen, Donald M'Corrane, Peter M'Quiggin, Gubon Gillander, Germott M'Martin, Gubon M'Cunneree, with the rest of his Fellows.

Prowess
abolished.

1. In the first Court of Tynwald, holden twice in the Yeare, for the Amending of the Countrey, and the Lord his Profit, and that Prowese be put down, saving in the Lord's Causes, as they were asked in the last Tynwald, holden at Killabane, before John Walton, Lieutennant of Mann, and that Matters be determined by God and the Countrey instead of Prowesse.

Weights and
Measures.
Servants.

2. Also that all Measures of your Land of Mann be made all after one, that is to say, Firlett and Quart be justly and truly ordained and made.²

3. Also that Servants be free onc't in the Year, that is to say, at Allhollowtide, to serve at what Place they will upon our Lord's several Grounds.

Alien to be
sworn.
Inquest.

4. Also that noe Scottishman, Irishman, or any other Aliens, be resident in your Land of Mann, but if he be sworn to you and your Land of Mann.³

5. And if any Goods be taken out of any Man's Possession, that a true Enquest be made of men that were present when he ceised his Goods, that it should not be removed out of his Possession but as the Law will. And so the said Enquest shall get him Restorance of all his Goods again; and then the said Man that took it against the Fence may sue it as the Law will if he sue an Action.

Husband
liable for
wife's debts.

6. And if a Man wedd a Wife that is in a Farme, that her Debts be paid by her Husband.

¹ Treasons defined by Criminal Code of 1817, secs. 1 to 7.

² Repealed by Statute of 1777, Chap. 10.

³ Repealed by Statute of 1697, Chap. 2.

A Court of all the Commons of Mann, holden at the Castle of Rushen betwixt the Gates, by Henry Byron, Lieutenant of Mann, upon Tuesday next after the xxth day of Christmas, Anno Domini 1430.

In the which Court vj Men of every Shedding of Mann were chosen by the whole Commons of Mann, that is to say, Willm. Scarffe, Willm. Yveno, John Reade, John Nelson, Jenkin M'Qualtrough, and Jenkin M'Killip for Rushen; Finlo M'Kay, Gubon M'Quantie, Patr. M'Joughin, Andrew M'Joughen, Simon Quirk, Yven M'Quirk, for Glanfaba; Gubbon M'Isacke, William M'Alexander, and Richard M'Gawen, Donold M'Gawn, and Gilchrist M'Comish for Kirk Michaell; Gubbon M'Isacke, Gubon M'Gillander, with the rest of their Fellows.

Election by
Commons of
Mann.

The which asketh and beseecheth Henry Byron, Lieutenant of Mann, the Points asked in the Tinwald next before houlden, to be granted and confirmed as Law, if our gracious Lord will be contented. In the which Court the said Henry Byron, Lieutennant of Mann, sitting in the said Court, granteth and confirmeth in our Lord his Name all the said Askings to be houlden as Law from henceforth, as they are here of Record written.

In the which Court Willm. M'Cawley was called to answer for as much as he smote Donald M'Cubbon in the Presence of the Lieutenant of Man, being one of the twelve sworn Men of the Enquest, in the head Court of Abbott of Rushen, for as much as the said Donold with his Fellows indicted the said Willm. of Fellony; and the said Donold being sore wounded with a Staffe and fell him downe to the Ground, in presence of the said Henry Byron, Lieutennant; answered and acknowledged himself Guilty, and put him to the Lord his Grace. And the Lieutenant asked the Deemsters what the Law would of him that soe did? And the Deemsters, by the Councell of the eldest and worthiest Men of all the Land of Mann, that is to say, Willm. Scarffe, Willm. Yveno, John Reade, John Qualtrough, Gubbon Quany, Gubon M'Isacke, Willm. M'Alexander, &c., say, for as much as the said Willm., with the space of xxiiij paces of the Lieutennant, without the Court, smote the said Donold, as it is known by the said Willm.: That the said Willm. for soe doing forfeiteth his Body and Goods, and toucheth Treason for as much as he offendeth, as it is said before in the Time of the Visitation of the King of Man, which he granteth to his Barrons to be executed twice in the Yeare, within their Franchises, by his Deemsters to be houlden.¹

Treason.

Alsoe the said Lieutennant asketh the said Deemsters what the Law will if any Man smite another not sworne by the Deemsters upon an Enquest, that toucheth the Coroner within the Space aforesaid, in Presence of the Lieutennant, without the Court? The Deemsters say, by the Councell and Advice aforesaid, that if any soe doe, he forfeiteth his Body and Goods.²

Affray.

Alsoe the said Lieutennant asketh the said Deemsters, if one smite another in Presence of the Lieutennant without the Space aforesaid, what the Law will? The Deemsters say that such Matters bee punished at the Lieutennant's

Assault in
presence of
Governor.

¹ Treasons defined by Criminal Code of 1817, Secs. 1 to 7.

² Repealed by Criminal Code of 1817, Sec. 31.

will, and to make Fine and Ransome to the Party as the Law of the Land will.

Alsoe the said Lieutennant asketh what the Law will if any Man make a Fray or reare Weapons in the Lieutennant's Presence? The Deemsters saith, to punish him at the Lieutennant's will.

Enquest of
1429.

In the same Court Fenlo M'Key, with the rest of his Fellows, were called to answer upon diverse Articles touching the said King of Mann, the which they presented by their Oaths before Gubon M'Cubon Clearke, Commissary to Richard Pully, Bishop of Soder, in his Visitation, holden at Hallandtowne, in the Yeare of our Lord God 1429, as appeareth by the Writeing of the said Gubon Clearke. Amonge other, the Particles were ordained to the Reliefe of poor Schollers, and now are dealt into other Uses by the Fault of the Bopp. And the said Finlo, and Jenkin Lucason, with their Fellows afforesaid, say that they will not pay the Debts of holy Church untill this be corrected as the Law will, and the old Constitutions, as by the said Presentment annexed to this. And upon that the Lieutennant asketh the Deemster what the Law of Man will of the said Enquest; for as much as they attempted the King's Right and Inheritance of his Land of Man, and his Prerogatives, without his Leave or his Lieutennant's; the Deemster, upon that, made Gubon Clearke, and the said Enquest, to answer to the said Articles, and shewed Gubon Clearke his own Writing of the Articles above written, and he acknowledged that it was his own Hand Writing, and put him to the Lord's Grace for the Writing of the Articles, and the takeing. And then Jenkin Lucason was asked of the Deemsters what Answer he would give; and he said not Guilty, and that he would put himself to God and the Countrey; that he never was sworne, nor knew of the said Presentment. Finlo M'Key, with his Fellows, made the same Answer, and put themselves likewise to the Countrey. Patrick M'Kermott and his Fellows answered severally, and acknowledged their Faults, and put themselves to the Lord's Grace. And upon the Answer of the said Phinlo M'Key, &c. an Enquest of xxiiij were called and sworne, that is to say, Willm. Yveno, with the rest of his Fellows, to the Number of xxiiij sworn Men, by their Oathes say, that the said Phinlo M'Key, with his Fellows, are not guilty of the Verdict given in by the said Gubon Isaacke, and so the Law acquitted them.

*An Enquest taken at the Castle Bushen the xvijth Day of Enquest of
 Aprill, 1504, before John Farker, Abbott of Rushen, 1504.
 Robert Calcots, Receiver of the Castle, William Parre,
 Controller, Jenkin Moore and John Christian, Deem-
 sters, by the Oathes of these Persons following :—Tho.
 Stevenson, Roger Nelson, Paul Harrison, John Quackin,
 Wm. M' Quarres, Robt. Taylor, Patrick M' Gell,
 Patrick M' Teare, Gubon M' Allen, Wm. Gilownie,
 Patrick M' Carren, Gibon M' Cowley, Wm. Moare,
 Donold M' Crayne, Richd. Quine, Jenkin Parson,
 Donold M' Isaack, Gilchrist M' Kerron, Mould M' Law-
 ney, John M' Fayle, Finlo M' Curry, Patrick M' Keowne,
 John Corlett, Michael M' Joughin.*

1. First, we find by Vertue of our Oathes, that all Fellons' Forfeitures
 Goodes, as Horses and Mayres, Oxen and Kype above two by Felons.
 Yeares old, belong to our Lord by his Royalty ; and those
 that be two Yeares and under, belong to the Coroner.
 Also all Sheep that be of a Year old and under, we have
 seen given to the Coroner. And if there be a broken Rook
 of Oates, we have seen the Coroner have the Fellons part
 thereof, which Cause we remitt unto the Lord. And all
 Sheep above a Yeare old, with all other Corn being not
 broken, all whole falls to the Lord.

2. Alsoe all Swine of what Age soever they be, with all Swine to
 other Goods, belongeth to the Lord, except the Corbes, Coroner.
 that should partaine to any Heyre by the Law of this Land,
 all those we find the Coroner should have.

3. Alsoe all Goates, we find, should belong to the Queen Goats to
 of this Land. Queen.

4. We find if any forfeit his Goodes to the Lord by Right of
 Felony, his Wife shall not forfeit her Part of Goods, Felon's
 because the Woman is but subject and obedient to the Wife.
 Man.

5. But we find by our Oathes, that if the Woman forfeit Husband
 in Felony, her Husband may forsake her and her Deeds ; may forsake
 and if he do not, but conceale her Deedes, he to stand as Wife if she
 deep in the Law as the Woman. be a Felon.

6. Also we find, that if any Inlaynes, or any other bye Inlaynes.
 Man, have any Goods with a Fellow within his House, or
 without, wee will that he make Suite for that his Goods
 from the Time that the said Fellow is indicted. And if he
 make not Suite for his Goods till the Time that the said

Fellon be condemned, we find that the said Goods lye in our Lord his Grace, and if he be within the Land that clayme for the said Goods.

Deemster's
and Moar'es
Fees.

7. Also we find that the Deemster and the Moare shall have their Fees paid out of the Coroner's Part, if it come to xij s. the Deemster shall have iiij s. the Moare iiij s. and the Coroner iiij s. and if it be under xij s. every of them inlike, much after the same Rate; and all that is over xij s. is the Coroners own Due wholly to himself.

Foresters'
duty.

8. Whereas complaint was made in Anno Domini, 1507, and the 9th of October, by the whole Commons to Edward Tarbock, Esq., Capitaine of the Isle of Man, and all other my Lord his head Officers, and the two Deemsters, that Robert Lassall, now Forrester of the said Isle, did clip their Sheep unlawfully within the Fells; whereupon the Capitaine did demand the Law of the Deemsters. And then John Lucas and Hugh Clark, Deemsters, did request the Capitaine they might have the Advice of the 24 antientest Men in this Isle, according to the old Custome in such Cases, the which was granted them by the Capitaine and the rest of my Lord his Councill, and then they did impannell a Jury as ensueth, viz.—

Wilim. Moore,	Jo. M'Gawne,	Wm. Costeane,
Tho. Chary,	Gubon Martin,	Patr. Hymen,
Rich. Kerron,	Wm. Kinread,	Don. Xtian,
Patr. M'Terre,	Wm. M'Cowle,	Wm. Huthen,
Richd. M'Cottier,	Mould M'Corrin,	Rob. Xtian,
Phill. Johane,	Jon. M'Cryer,	Gilbt. M'Kelly,
Patrick Watterson,	Ro. Moqre,	Jo. Yluorry,
Wm. Corrin,	Jo. Farke,	Jo. Kneene,

Which being sworn upon the Evangelists, do say as hereafter followeth:

First, we find by Virtue of our said Oathes, that the Forrester, or his Deputy, ought to go forth, on St. Collumes Eve,¹ through the Forrest, and to ride to the highest Hill Top within the Isle of Mann, and there to blow his Horne thrice; the same done, then after to range and view the Forrest; and on the third Day to go forth, and take such Company with him as he shall think like, to see what Sheep he finds unshorn: and if he finds any unshorn, he ought to take them with his Dog, if the said Sheep be not Milk Sheep, to sheare them, and to take the Fleece to his own Use, and to put a privy Mark on the same Sheep; and so to use all that he finds within the Precincts of the Forrest the same time, to the intent, that if any such Sheep be found the next Yeaere by the said Forrester, he to certify the Comptroller and Receiver of the same, that they may be recorded in the Court Bookes, and so praised and sold to the Lord his most Profit.

9. And whereas the said Forrester did clayme a Lamb within the Precincts of the Forrest, because it was unmarked: we find, by Virtue of our Oathes, that he ought not to clayme such Dutys as due to the Forrester; but if he find any such Lamb, Sheep, Goate, or Kidd, that hath no Mark upon them, he ought to take them and put a privy Mark on the same, to the intent that if he find any such the next Yeaere, not claimed by any Person to have just Title of the same, or to the same, then the same to be priced and sold to my Lord his most Profit as a Stray.²

¹ Day altered to 21 June by Statute of 1748, Chap. 6.

² Office of Forester abolished by the Isle of Man Disafforesting Act of 1860, Sec. 16.

The Merchant Stranger his Duty, 1523.

1. First, he is to appear himself personally before our Captaine, or his Deputy, and to shew him what his loading is, and to tell him Newes from whence he came.

Merchant
Stranger to
Report him-
self.

2. If the Captaine or his Deputy, think that the Wares he hath is for the Commonwealth of this Countrey, he drives him (if he can) to a Bargaine, and commands him to stay till his Pleasure be further known; and then he to summon the Clearke of the Ships, and tell him how far he hath proceeded with the Merchant Stranger.

Clarke of
the Ships.

3. The Clearke is to send Word to the four Merchants; and when the four Merchants meet, they to Bargaine with the Merchant Stranger, rather for less than Mr. Captaine could drive them unto, or thereabouts, and the Clearke then to write the bargaine betwixt the Merchants and the Merchant Stranger: that done, the Merchants and the Clearke to send Mr. Captaine a Coppy of the Bargaine; and then he, with Mr. Comptroller, to consult what is needful for the Houses; and then they to send for the Receivers of both the Places, and have further of their Advices; and what they shall think needfull for the Houses, to send their Stewards to take up for my Lord; and that my Lord shall have what his Necessity and Pleasure is, before any Man. After my Lord is served, the Clearke to stand by to keep a true Account between the Merchant and the Merchant Stranger, and to see and write what every Merchant doth take up in his Quarter, and to write every Man's Name that hath taken Wares, and how much every Man hath taken, the Merchants to distribute it according to every Man's holdinge, as they are sworne unto. And when Payment is to be made unto the Merchant Stranger, the Clearke is not to meddle with any Payment in any Merchant's Quarter, except the Merchants be present, or that the Merchants willed him so to doe, and to be always ready at their Commandment, during such Time as the Merchant Stranger is unpaid.

The four
Merchants
to Bargain.

Lord to have
preference of
Merchan-
dize.

4. If it be a Ship of Salt, the Merchants are to have a Salt Barrel of Salt out of every xx Barrels; and when all is discharged, the Clearke of the Ship is to have half with the four Merchants, how many Barrels they have taken up.

5. And if it be a Ship of Wines, the Clearke is to have Wines one choice Hogshead, as soon as the Ship of Wines is

bought, paying for it as it is bought; and the Merchant Stranger to agree with the Clearke.

Lord, &c.
entitled to
Choice
Wine.

6. And if there be small Wares of no great value, the Clearke and the Merchants are to have the first offer, before any Man, except my Lord. No Man is to have choice Wine but my Lord, the Captaine, Bishopp, Abbott, or Archdeacon, and to drink it of free Cost, or els to have none, saving my Lord.

Children of
first Marriage
to be sup-
ported by
second Hus-
band to 14
years of age.

7. A Man married to two Wives, having Children by the first Wife, being under Age, whether may the Father clayme of the Children of the first Wife, any Thing towards their bringing up, of their Mother's Child's part of Goods or noe.

The Father is bound to bring them up till xiiij Years of Age, then if he like them not, he may turn them off, and give them their Mother's Child's Part of Goodes, by the Law of Mann. But if in Case the said Children do not ask their Goodes till they be xx Years old or upwards, and the Father do bestow great Costs and Charges upon them severally, thinking to stop their Mother's Part for the said Costs, the said Father cannot soe do, because he hath the Increase of their Goods; and he is their natural Father besides.

Constables
Fee.

8. If any Man be brought to Jaile or Prison upon Suspicion of Felony, the Porter is to have no Duty except Irons be sett on him; nor the Constable is to have no Duty except hee be arraigned at the Barr; and the Porter is to have no Duty of any that is committed to the Moares Towre without he have Irons, except Servants, and then his Duty is to have a Groate of every such Offender, and v *d.* of every such Fellon.

Indenture of
1532
between
Bishops
and Clergy
and Keys.

1. This Indenture, made the last Day of July, Anno Domini, 1532, between the Right Reverend Father in God John Bishopp of Sodorensis and the Isle of Mann, and all the Clergy and Spiritualltie of the same Isle on the one Part, and Willm. Stevenson and Henry M'Gawne, of the Sheading of Rushen, Rowland Cross and Bartholomew Stevenson, of the Sheading of Glanfaba, Wm. Moore and John M'Creare, of the Middle Sheading, Willm. M'Fayle, and Gilbt. Corrin, of Kirk Michael Sheading, William M'Vrimyn and James Kent, of the Garffe, Huan M'Christian and Marke M'Christian, of the Ayre, on the other Parte, WITNESSETH, that whereas Varience and Discord

hath risen between the said Bishopp and Clergie, and the Persons above said, and all other the Temporall Inhabitants of the said Isle and Comonalty, for and upon the takeing of Mortuaries was called in the said Isle Cors-presents, and other Exactions and Wrongs which the said Comonalty alledgeth the Spiritualltie of the said Isle did unto them, for the appeaseing and ordering of which Controversie and Variance. The Right Honourable Edward Earle of Derby, Sovereigne and liege Lord of the same Isle, by his Writing at Comission under his Seale of Mann, dated at his Manor of Colham, the xxvjth of June last past, assigned, appointed, and authorized Thomas Sherburne, Esq. Lieutennant of the same Isle, Thurstan Tyldesley, Esq. his Receiver Generall, Morgan Johnes, his Auditor, John Fleminge, Capn. of Man, Thomas Tyldesley, Water-bayliffe of Man, John Gardner, Comptroller of Mann, Edward Corkill, one of the Deemsters of Mann, Robt. Calcoats, Receiver of the Castle of Man, Piers Anderson, Receiver of the Peele in Man to be his Comissioners for the hearinge, orderinge, and reforminge of the Premisses, accordinge to Equity and Justice, by Force of which Comission, upon Summons and Warning given by the said Comissioners to the said Partys, the foresaid Bishopp, and Thomas, Abbot of Rushen, with diverse other of the Clergie of the same Isle, and all other Persons above named of the other Party, and a great Multitude of the same Isle, appeared in their proper Persons before the said Comissioners at the Chappell in the Towne of the Castle Rushen, the xxijd of July last past, at which Time it was alleadged by the said Bishopp, Abbott, and Clergy,

2. That if any Person, whether it be Man or Woman, Wife or Child, dwelling in the same Isle, having Goods at his or their Deathes, shall pay to the Clergy the Value of **xx s.** besides all Debts which is called free Goodes, and having Power, by the Custome of the said Isle, to make a Will of the said Goodes, that the Executors or Administrators of every such Person shall pay to the Church for the Corps-present of everie Person soe deceased, the best Beest or Horse that he or she had, or els **vj s.** in Money, at the Ellection of the said Executor or Administrator, shall pay to the Corps-present such of the best Cloaths or Apparell of the Person deceased as the Church have used to take, or els **ij s. iiij d.** in Money, at the Election of the Church and the said Clergy.

3. Moreover the said Clergy alleadged that they had Tithe Ale. taken and ought to have of Right and Custome of every

Person brewing any Ale, in Recompence of the Tith thereof, certain Pottles of Ale.

Marriage
Money.

4. Also the said Clergy alledge that they ought to have certaine Money of such Marriage Goods as is given in Marriage to any Man with his Wife at their Marriage, in Recompence of the Tith thereof; and over this the said Bishopp alleadgeth that he and his Successors ought to have by Right and Custome for the Probation of every Testament ij s. viij d. rebating thereof for every poor Person's Testament a Parcell of his own good Will and Discretion.

Bishop's fee
for Probate.

Corbes.

5. Alsoe the other Party, and all the Comonalty above-said that was spesified, said that the Church ought to have by the old Custom for Corbes for every such Person as is above-named vj s. vj d. and noe more. And also they deemed that the Church ought not to have such Pottles of Ayle, or any Money for the Marriage Goodes, as is above rehearsed. Moreover the said Comonalty deemed that the Bishopp ought to have noe more but vj d. for the Probation of any Testament; and for a poor Man's Testament noe more but a Penny or ij d. And in all the Variences and Controversies abovesaid, the Parties above rehearsed for the avoiding of all Ambiguities and Doubts before a finall Unity be had amongst them, by means of the said Comissioners to be agreed and constituted for them and their Successors for ever. And either of the said Parties conditioneth and agreeth in such Manner and Forme as hereafter ensueth :

Fee for
Probate.

Mortuaries
to the Clergy.

6. First, the Executors and Administrators of such Person as hereafter shall departe, having free Goodes to the Value of xx s. shall pay to the Church for Mortuaries viij s. in full Recompence of all the said Mortuaries or Corps-present, Cloaths and Apparel, and noe more within a Fortnight after the Buriall of the said Party soe deceased.¹

Fee for
Probate.

7. It is further agreed, that the Executors and Administrators of every such Person, when they shall pay the Sum of viij s. for the Mortuarie and Corse-presents, shall pay to the Bishopp for the Time being, for the Insinuation and Probation of the Testament of the Person soe deceased, and for all Manner of Things touching the same, within the Space of one Fortnight xij d. and noe more.²

Corse-
present.

8. Alsoe it is agreed that if any Person departe, having Goods under the Value of xx s. of free Goodes, the old Custome hath been, that the Church hath had in Recompence of the Corse-present of the same Person, the first Part of the same Goodes, to the which Custome both the Parties agreed to stand for ever.

¹ See Ordinance of 1593, Sec. 7. Altered by Ordinance of 1643, Sec. 5.

² Repealed by Statute of 1748, Chap. 3.

9. And as touching the Probation of the Testament of such Persons, and for all Probate Manner of Charges the same concerning the said Parties be now agreed, that the Bishopp shall have for Probats and other Charges for every such Testament iiii d. except it please the Bishopp of his own free Will to take less.¹

10. And furthermore the said Parties are agreed, that from henceforth the Bishopp is not to have any Recompence for brewing Ayle, nor any Tith for any such Marriage Goodes as is above named. Tithe for Ale, and Marriage Goods abolished.

11. And it is said and agreed, that the Church and Clergy shall take for their Corse-present and other the Premises of some Men which be now deceased, whereof noe Agreement nor Recompence heretofore had or made for the same after the Rate of this Agreement, and none otherwise. Agreement as to Corse-present.

12. Also it is agreed that the Comonalty shall reasonably agree with the Priest or Clark doing divine Service at Burialls or Weddings, or els to have and recompence them for their Labour and Dilligence, according to the old Custome used in the said Isle. Fees for Burials and Weddings.

13. In Witness whereof the said Parties to this present Indenture of Agreement, have interchangeably putt their Hands and Seales. And in Proof the Abbott and diverse others of Clergy, whose Names be hereafter subscribed, and also the said Commissioners were present, and hereto agreeable, every one of them hath written with their proper Handes their Names down, and dated at the Castle of Rushen, in Mann, the Day and Yeare above-written :—

Thomas Abbott, Sir Thos. Norries, Sir John Corkell, Sir James Clarke, and William Inch Commissioners, Thos. Sherburne, 'Thurstan 'Tyldesley, Morgan Johns, John Fleming, Tho. Tyldesley, Piers Anderson, & John Gardener. Signatures.

THE BOOK OF ORDERS

Made by the Comissioners, Anno Domini 1561, at the Castle Rushen, in the Isle of Mann, the 16th Day of July, in the Yeare afforesaid, by Sir Richd. Sherburne, Knight, Gilbert Parr, Hugh Diconson, William Stopforth, and Alexander Rigby, Comissioners to Edward, Earle of Derby, Lord Stanley, Lord of Mann and the Isles, and of the most noble Order of the Garter, Knight.

1. Imprimis, forasmuch as great Waste hath been made in the Castle and in the Peele in Bread, Fuell, Candles, and other Things, therefore be it ordained and ordered, the Regulations for Castles.

¹ Repealed by Statute of 1748, Chap. 3.

- Captain's Allowance.** Captain to have a Loaf of Bread, a Gallon of Beere, two Candles in Sumer, and three in Winter, and reasonable in Fuell every Night for his Chamber, within the House 3 Men, one Page, 3 Horses at Hay, and twenty Bowles Oates at the Lord his Price.
- Receiver General.** 2. The Receivers to have one Pottle of Ale, Half a Loafe of Bread, one Candle in Sumer, two in Winter, and reasonable of Fuell within their Chambers within the House, one Man a Piece, two Horse a Piece, and twelve Bowles of Oates, either of them for their Horses.
- Clerk of Rolls.** 3. The Clark of the Rolles one Quart Beere, one Quarter of a Loafe Bread, one Candle in Sumer, and two in Winter, one Horse, one Page, and six Bowles Oates.
- Comptroller.** 4. The Comptroller one Quart Beere, one Quarter of a Loafe Bread, one Candle in Sumer, and two in Winter, one Horse at Hay, and six Bowles Oats. The Constables of both Places half a Loafe Bread, 2 Candles in Winter, and one in Sumer, Fuell in Winter reasonable for their Chambers within the House, to search the Watch; and that none of the said Officers shall have any Liveries but when they are there in proper Person: and no more Liveries nor Fyer to be had without a spetial Warrant, signed and sealed with my Lord his Hand, to be recorded and afterwards to remain in the Treasury.
- Water Bailiff.** 5. The Water Bayliff to have his Liveries and Allowances as is appointed to the Receivers afforesaid.
- Breakfasts.** 6. Itm. That there be no Breakfasts allowed but to the Captaine, Receivers, Comptroller, Hall-keepers, Porters, and to the Brewers, twise in the Weeke, at the Discretion of the Officers; and the said Breakfast to be had within the House, but the Reversion to the Almes Tubb.
- Beer allowed.** 7. Itm. That at the Drinking Bell there be no Cannes of Drink allowed but to the Porters, two at the afternoon; and that they convey not the same out of the House, upon Paine of their Office; and the Watch Man to have a Canne of Beere to the Watch.
8. Itm. That none of the Soldiers shall have any Liveries forth, or other Officers, to their own Houses, at any Time from henceforward, except they be visited with Sickness, at least two Days before, and so known to the Head Officers; and then, by their Discretion, to allow them honestly for a Day, the third Part of a Tyld of Beefe, one Mess of Mutton, one Canne of Beere of two Quarts, one Loafe of Bread, for Dinner; and the third Part of a Tyld of Beefe, and a Canne of Beere of two Quarts, for his Supper.

9. Itm. That no Soldier of either of the said Houses ^{Fuel.} have any Turves allowed to their Chambers out of my Lord his Stores; but if they will have any, to buy as they have done before.

10. Itm. It is ordained, that no Soldier be taken into ^{Household} any of the Houses, or any Place, or put out, without know- ^{regulations.} ledge. Alsoe, that no Soldier be received, being of the one Place into the other, in Paine of Forfeiture of his Fee at Meat or Drink, but if they come upon my Lord his Business.

11. Itm. That no Soldier have Meat or Drink but at ^{Meal-time.} the Bell, except that he hath been upon my Lord his service.

12. Itm. The Receivers to see that both the Places be ^{Castles to be} sufficiently victualled at the beginning of the Yeare, and ^{Victualled} also that there be no Salt received to neither Place but by Indenture between the Receivers and the Stewards; and the same Indenture to be delivered at the Audit with other Accompts.

13. And alsoe, That the said Receivers have the Charge ^{by Re-} and Governance of all Manner of Victuals that belong to ^{ceivers.} the Store, for both the Houses, as Wheat, Malt, and Salt, and to be delivered by the Steward to them; and that all the Salt be weekly breefed, as it shall be spent.

14. Itm. That the Porters, or one of them, keep the ^{Porters'} Gates, and make no Deputy, upon Pain of forfeiting of ^{Duty.} their Office, except they have Lycence from the Captaine or the Constable, and to lye in the Porter's Ward the one of them every night.

15. Itm. That the Receivers, Stewards, Cooks, and ^{Beef for} Slaughter-men, see that the Beeves be brought into the ^{Castles.} Houses, killed and salted, between Michaelmas and Andrew's Day, so many as they shall need at the afforesaid Houses, until St. Andrew's Day come again, except every Week one Beefe to be spent through the Yeare: and the said Beeves left unkilld of the store, to remain in the richest Men's Hands, and best Farmers, and that they be charged to keepe them, upon double value of the said Beeves, untill they be called for to the use of the said Houses.

16. Itm. That the Receivers shall appoint one Clarke, within the Gates, to sit with ^{Accounts} the Porters and one of the Hall-keepers, to receive Turff and Ling, and the Number of ^{to be kept} Carriages to enter in his Book so brought into the House; and that every Saturday at ^{of Turff.} Night, the said Clarke's Book to be perused by the Captaine, or Comptroller, or one of their Deputies, and the Number of the said Carrs so come into the House, to be summed by the said Officers, or their Deputies, in the said Book, every Weeks end; and such as maketh Default, and bringeth not in the said Turff, to pay for every Carriage iiii d. wherewith the Receiver to be charged, and the whole Turff Book, so summed and signed,

either with the Captaine his Hand, the Comptroller, or their Deputies to enter the same, so that the same Book come to the Audit with the Receivers.¹

Corn and
Malt for
Castles.

17. Itm. The Officers to deliver the Corne which they do receive into my Lord's Houses by such Measure to the Miller, Maultman, and others, as he doth receive by; that thirty Casts of Bread be made of one Bowle of Wheat, of the largest, as is soe accustomed; and that tenn Hogsheads of Beere be made of nine Bowles of Mault; and that there be no more Beere nor Herring disallowed, but only by my Lord's own Councill, as hath been heretofore used among the Soldiers.

Bran not to
be removed
without
consent.

18. Itm. That there go no Chassel, Bran, or Grains, forth of either of the said Houses, unto any Man's House, before the said Brand be seen by the Butler and two of the Hall-keepers; and that the said Chassel, Bran, or Grains, shall not be sould nor given to any Officer, or their Wives, and the Bran be not taken for the use of the Houses, untill the Bread be brought into the Pantrye.

Receivers to
account
weekly.

19. Also, that the Receivers of both the said Houses shall give Accompts at every Weeke's End in the Yeare unto the Comptroller, or his Deputy, of all such Provision, as they shall provide for the said Houses, and of whom they are bought, and the Prices of them, and the same to be perused by the Captain or his Deputy and other Officers openly when the Brevement of the Houses is taken, and so to be entered into the Comptroller's Bookes; and the same Bookes to be assigned weekly, and summed by the Captain or his Deputy.

Castle Maze
of Herrings.

20. Itm. At every Herring Fishing upon the Coast of Mann all Manner of Persons, whatsoever they be, Barrons, Officers, or Soldiers, to pay the Castle Maze and Customes as hath been heretofore used.¹

Provisioning
of Castles by
Receivers.

21. Itm. The Receivers shall buy nothing for Provision of the said Houses without Consent of the Captaine, Comptroller, or their Deputyes, and they by their Consents may provide such Things as shall be for the Lord's most Profit.

Treasury.

22. Itm. That all such Money as shall remaine in the foresaid Receivers Hands shall be put into the Treasury att the Castle at every Quarter's End, and, according to the antient Custome and Statutes, the Captaine or his Deputy, with Consent of the rest of the Councill then being within the said Isle, may take forth so much of the said Money then remaining in the foresaid Treasury, by Indenture, whereof the one Side to remain in the said Treasure House, and the other Side with the Captaine or his Deputy;

¹ Repealed by Statute of 1777, Chap. 1.

and the same Money so taken forth to be bestowed and imployed upon Merchants when they see Occasion and Time to be profitable for the Lord his most Advantage, and by all their Consents, or the most Part of them.

23. Itm. The Receiver shall sell no Hides, nor exchange without Consent of the Captaine, Comptroller, or his Deputy, and other Officers; and the same Hides so sold or exchanged to be seen by six of the Soldiers, how many be Oxe Hides, and how many be Cow Hides; and the same to be entered by the Comptroller or his Deputy at the Week's End in the Household Booke; and all Hides exchanged for Wares to be seen and entered in the like Manner.

24. Itm. That no Soldier of either of the said Houses shall keep any Greyhound, Hound, or Spaniel, within the said Houses, or elsewhere within the said Island, except he hath Lycence of the Captaine, and bound that the said Dogge shall not come within the said Houses upon pain of every Time so offending xij *d*.

25. Itm. That the Captaine or his Deputy, when a Soldier cometh with Warrant in the one of the said Houses to be received before he admitt them, to see he be an able Man, and have Armour and Weapons according to the Statutes, and to cause the Cleark of the Rolls to enroll his Warrant the Day and Yeare of his Admission, and after Oath be given as hath been used.

26. Itm. If any Soldier at either of the said Houses dye, his Armour and Weapons to remain in the Storehouse to my Lord his Use for the better Maintenance and Defence of the said Isle and Houses, and to be declared to the Soldier before his Admission, and to consent thereto, or els not to be allowed.

27. Itm. The Captaine, with the Advice of the rest of the Councill, to appoint One or Two to have the Oversight and Keeping of my Lord's Pastures belonging to the Castle and Peele, so that the said Pastures may be kept and employed for my Lord his most Proffitt and Advantage, untill further Order be taken therein; and no Horse nor Cow to be allowed, but the Captaine three Horses, the Receivers two Horses, the Cleark of the Rolls one Horse, and Comptroller one Horse, the Water Bayliffe two Horses, and the Steward one Horse.

28. Itm. That my Lord's Almes be distributed at the Gates, and that noe Pookes nor Bagges be allowed.

29. Itm. When any Forfeitts, Wrackes, or Fellons Goodes, doe chance, the Comptrollers, Receiver, or their

Sale of Forfeitts and Wrackes.

Deputies, shall make a true Inventory of the same, and they to appoint a convenient Time when Saile shall be made of the same, and to call with them iiij of the most honest Men of the same Parish to be sworne to praise the same Goodes, to be sold to whom will give most for the Lord his Profitte, and the Comptroller to charge the Receiver with the same.

Exports.

30. Itm. When any Man maketh Suit to carry or transport any Stuff or Merchandize out of the Isle into any Forraign Parts, that the said Captaine shall consult with the rest of the Councell there, once in a Weeke, what Wares may be best spared, for the best Comoditie of the Inhabitants of the said Isle : and the said Captaine with consent of the said Councell, shall agree upon to give Lycence ; and all those Wares so Lycensed, to be mentioned in a Bill, with the quantity thereof, signed with the Captaine his hand, or his Deputy ; and the same to be delivered to the Water Bayliff, or his Deputy, so that there be no Wares carried forth but such as are Lycensed ; and that the same may pay Custome according to the Lawes of the Land. And the said Bill of Lycense to remaine with the Water Bailiff untill his Accompt at the Lord's Audit, and there to be delivered ; and if any more may be found than is Lycensed, the same to be forfeited.¹

Registry of
Ships, &c. to
be kept by
Water Bailiff.

31. Itm. That the Water Bayliffe shall make a Booke of every Shipp, Pickard, and Boat, that bringeth any Wares into the Countrey, and the Day when she cometh, and what Wares she brings into the Land and what Wares she taketh out of the Land, and what Custome is due for the same, and to deliver a Copy thereof to the Comptroller, or his Deputy.¹

Seizures
within full
Sea water
mark.

32. Itm. When any Forfeitt is seized within full Seemark, by any of the Officers, to the Lord's Use, the same to be certified to the Captaine, or his Deputy, with speed ; and then he to call the Officers and the two Deemsters together, and they to commune and consult how it was ceized. And if the said Captaine and Officers do find the same lawful, then the Comptroller to enter the same in his Booke of Records, as well as the Water Bayliffe, not only of the Parcel, but also of the Day and Yeare of the ceizure of the same. And the same Goods to be praised by four substantial Men, so that if the same be deemed by any Person or Persons, that they may have the Law of the said Isle, or the Value thereof, if the Party come within a Yeare and a Day : and if the said Officers take the said Goods to be clear forfeited then they to cause the same to be sold, and convirted to the Lord's most Profitte and Advantage, in the Water Bayliff's Accompt.

Book of Im-
ports and
Exports.

33. Itm. That the Clark of the Shippes do make a perfect Book of all such Wares as the Merchant Stranger shall bring into the Countrey, and how and to whom the same Wares are distributed, and what Wares he shall carry out of Mann, and how much Custome is due for the same : and the same Book to be assigned with the Clark's Hand, and to be sent over yearly unto the Lord his Auditt, and that the Comptroller have Knowledge of the same Wares by the said Clark, so oft as any Ship comes in, and sight of his Book from Time to time.¹

Receivers
and Moars
Accounts.

34. And when the Receiver and the Moars do reckon, the Comptroller to be there, and the same Reckoning and Accompt to be made before him.

¹ By Act of Parliament 7 Geo. III. c. 45. (1767) all export and import Duties ceased and new Duties were imposed.

35. Itm. The Fines and Amercements, after the cause Fines. considered by the whole Councell, after the Power of the Party, to be assessed by the said Councell.

36. Itm. The Chancery to be kept every Munday in the Exchequer, according to the old Laws and Statutes of this Isle, or els in some other convenient place in the Town.¹ Chancery.

37. Itm. The Captain, Receivers, Cleark of the Rolls, Captain, Receiver, Clerk of Rolls, &c. and Water Bayliffe, once in a Month at least, to be in the Exchequer, att the Castle of Rushen, in Mann, or so many of them as shall be within the Isle; and there to consult to attend of my Lord his Causes and Affairs of the said Isle, for the Council once a Month. Commonwealth's well Governance, and well keeping of the said Isle and Houses.

38. Itm. The Records to be enrolled in Parchment every Year once, and the same so enrolled, to be sent over to the Lord his Auditt, and the Auditor's Hand to be putt to the same, and then conveyed over again, and laid amongst other of the Records. Records and Audits.

39. Itm. That no Alien, coming into any Haven in Mann, with Merchandize, or otherwise, shall after warning to him given, pass any further into the Island, without Lycence of the Councell, but to the next Parish Church, upon Paine of Forfeiture of his Goods, and Body to Prison: and that Irish Women loytering and not working, be commanded forth of the said Isle, with as much convenient speed as may be; and no Boat hereafter to be suffered to bring any of the said loytering Persons into the said Isle; but that he, upon Paine of Forfeiture of his Boate and Goods, after warning him given, take the said Persons to him againe. Alien not to enter Country without leave.

40. Itm. That the Clearke of the Garden is to be appointed in either of the said Houses, by the Receivers thereof; the same to be such as they will answer for. Clerk of the Garden.

Richard Sherburne. William Stopforth.
Gilbert Parr. Alexander Rigbie.
Hugh Dicconson.

The Rates of the Customs at every Port within the Isle of Mann, allowed and confirmed by the Right Honourable Henry, Earl of Derby, Lord of the said Isle. Given the 28th Day of June, Anno Domini 1577.²

The Merchant Stranger shall pay for every Pound in Silver he shall	
take forth of this Isle	ijd. ob.
Ale the Barrell	jd. ob.
Ash Timber the Cth 3 or	vjd.

¹ Chancery Court empowered to regulate its own proceedings by Statute of 1777, Chap. 4.

² New Table of Rates established by Act of 1737, Sec. 14.

Allom the 100th	-	-	-	-	-	-	iijd.
Anchorage, a Ship, Bark, or Pickard, with a Cock Boat	-	-	-	-	-	-	viiij.
Without a Cock Boate	-	-	-	-	-	-	iiij.
Barley the Bowle in a Bulke of the Stranger	-	-	-	-	-	-	jd.
In Caske the Barrell	-	-	-	-	-	-	iij.
Barley in Bulke the Bowle of the Island	-	-	-	-	-	-	jd.
In Caske the Barrell	-	-	-	-	-	-	jd.
Bread the Batch	-	-	-	-	-	-	iij.
Biskett the 100th	-	-	-	-	-	-	jd.
Beefe the Carresse	-	-	-	-	-	-	iij.
Beefe Quick	-	-	-	-	-	-	xij.
Boards sawen or cloven the 100th 3 or	-	-	-	-	-	-	vj.
Butter the Barrill	-	-	-	-	-	-	jd.
Besere the Barrill	-	-	-	-	-	-	iij.
Brass the 100th	-	-	-	-	-	-	viiij.


Woollen Cloath.

Broad the 100th	-	-	-	-	-	-	ijs.
Broad the Doz.	-	-	-	-	-	-	ijd.
Narrow the 100th	-	-	-	-	-	-	viijd.
Narrow the Doz.	-	-	-	-	-	-	ob. qs.
Fourty Slatts raw Cloath	-	-	-	-	-	-	iiijd. ob.
Coales the Boat, 1 Barrell, or	-	-	-	-	-	-	iiiijd. ob.
Irish Linen Cloath the 100th	-	-	-	-	-	-	vjd.
Poul Davy the Bolt	-	-	-	-	-	-	vjd.
Vitteras the Boul't	-	-	-	-	-	-	ijjd.
Calfe Skinsn the 100th	-	-	-	-	-	-	xijjd.
Calfe Skins the Doz.	-	-	-	-	-	-	ob. qs.
Cheese the Weigh	-	-	-	-	-	-	vjd.
Caddowes	-	-	-	-	-	-	ijjd.
Dapyues the Doz.	-	-	-	-	-	-	vjd.
Windfish the Doz.	-	-	-	-	-	-	vjd.
Dryfish the Doz.	-	-	-	-	-	-	vjd.
Fish the Tonn	-	-	-	-	-	-	xijjd.
Eeles Cane the 100th	-	-	-	-	-	-	viiijd.
Flesh the Barrel	-	-	-	-	-	-	ijjd.
Fledges	-	-	-	-	-	-	ijjd.
Flocks the Stone	-	-	-	-	-	-	jd. ob.
Flax the Bale	-	-	-	-	-	-	jd.

Sheep and Calves.

Sheep and Calves the 100th	-	-	-	-	-	-	-	xijd.
The Doz.	-	-	-	-	-	-	-	jd. ob.
Lambs and Kidds the 100th	-	-	-	-	-	-	-	vjd.
The same a Doz.	-	-	-	-	-	-	-	jd.
Feathers a Stone	-	-	-	-	-	-	-	ijd.
Goates Quick the Doz.	-	-	-	-	-	-	-	iijd.
Goates Fells the 100th	-	-	-	-	-	-	-	vjd.
The Doz.	-	-	-	-	-	-	-	ob. qs.
Geeze the Doz.	-	-	-	-	-	-	-	iijd.
Ox Hydes 8 to the Dicker.								
Cow Hydes 10 to the Dicker.								
Hydes the Dicker	-	-	-	-	-	-	-	iijd.
Haberdine the 100th	-	-	-	-	-	-	-	vjd.
Herrings the Tonn	-	-	-	-	-	-	-	xijd.
Horses one	-	-	-	-	-	-	-	vjd.
Herrings the Maze	-	-	-	-	-	-	-	jd.
Hopps the 100th	-	-	-	-	-	-	-	vjd.
Honey the Firkin	-	-	-	-	-	-	-	jd. ob.
Henns the Doz.	-	-	-	-	-	-	-	ijd.
Iron the Tonn	-	-	-	-	-	-	-	xijd.
The same a Hundred	-	-	-	-	-	-	-	ob. qs.
Kidds the Doz.	-	-	-	-	-	-	-	iiijd. ob.
Kidds Fells the 100th	-	-	-	-	-	-	-	vjd.
Lambs Quick the Doz.	-	-	-	-	-	-	-	iiijd.
Lambs Skins the 100th	-	-	-	-	-	-	-	vjd.
The same a Doz.	-	-	-	-	-	-	-	jd.
Lyme the Boat, a Barrell, or	-	-	-	-	-	-	-	jd. ob.
Mather the Hundred	-	-	-	-	-	-	-	vd.

Mault the Bowl	-	-	-	-	-	-	-	jd.
Mantles one	-	-	-	-	-	-	-	ijd.
Ruggs the Hundd.	-	-	-	-	-	-	-	ijd.
Nails the Thousand	-	-	-	-	-	-	-	ijd.
Nails the Hundd.	-	-	-	-	-	-	-	ijd. ob.
Nails the Last	-	-	-	-	-	-	-	ijs. vjd.
Oak Timber or Sparrs the Hund. 3 of either Sort, or	-	-	-	-	-	-	-	vjd.
Oares the Hund. 3 or	-	-	-	-	-	-	-	vjd.
Oates the Bowle	-	-	-	-	-	-	-	jd.
Pitch the Hundd.	-	-	-	-	-	-	-	jd. ob.
The Foot Pack	-	-	-	-	-	-	-	vjd.
The Horse Pack	-	-	-	-	-	-	-	xijd.
Plancks for Shipp the Hundd. 3 or	-	-	-	-	-	-	-	xijd.
Pewter the 100th	-	-	-	-	-	-	-	vijd.
Plow Beames the 100th, 3 or	-	-	-	-	-	-	-	vijd.
Pullen the Doz.	-	-	-	-	-	-	-	ijd.
Rossin the Hundd.	-	-	-	-	-	-	-	ijd. ob.
Hayre Ropes the Doz.	-	-	-	-	-	-	-	jd. ob.
Ropes British the 100th	-	-	-	-	-	-	-	vjd.
Rugg frized the Doz.	-	-	-	-	-	-	-	jd. ob.
Raisen the Fraile or Head	-	-	-	-	-	-	-	ijd.
Rye the Bowle	-	-	-	-	-	-	-	jd.
Sheep the Doz.	-	-	-	-	-	-	-	ijd.
Swine the Doz.	-	-	-	-	-	-	-	ijd.
Salt the Tonn	-	-	-	-	-	-	-	xijd.
Shipp with Salt, British or Portugale, inward, shall pay a Quarter Tunn before the Mast, and another above the Mast, if it be xx Tunns, or els the Half.								
Shoes the Doz.	-	-	-	-	-	-	-	ijd.
Shafts Square the Hundd. 3 or	-	-	-	-	-	-	-	vjd.
Salmon the Butt	-	-	-	-	-	-	-	vjd.
Salmon the Barrell	-	-	-	-	-	-	-	ijd.
The Firkin	-	-	-	-	-	-	-	jd. ob.
Soape the Hundred	-	-	-	-	-	-	-	ijd. ob.
Sheep Skins the Doz.	-	-	-	-	-	-	-	ob. q.
Sack the Butt	-	-	-	-	-	-	-	vjd.
A small Boat or Pickard loaden with white or gray English Salt, shall pay a Firlett before the Mast, and another after.								
Tallow the Weight is 256lb. or the Weight of Cheese.								
Trayne the Tunn	-	-	-	-	-	-	-	xvjd.
Tarr the Hundd.	-	-	-	-	-	-	-	jd. ob.
Tallow the Hundd.	-	-	-	-	-	-	-	vjd.
The Half Hundd.	-	-	-	-	-	-	-	ijd.
Tanned Leather the Dickerr in the Country	-	-	-	-	-	-	-	vjd.
And the Stranger Man	-	-	-	-	-	-	-	xd.
Wine the Tunn	-	-	-	-	-	-	-	xijd.
A ship with Wynes, that is xx ^t Tunn or more, shall pay the Price Wynes, viz. Half a Tunn before the Mast, and Half a Tunn above the Mast; and for every other of the rest xijd. the Tunn as is abovesaid; and if the shipp have ten Tunn, then to pay Half a Tunn to Price Wynes and not under.								
Wool the Stone	-	-	-	-	-	-	-	ijd.
Wadde the Ballett	-	-	-	-	-	-	-	vijd.
Wadde the Hund.	-	-	-	-	-	-	-	vjd.
Wheat the Bowle	-	-	-	-	-	-	-	jd.
Woollen Cardes the Doz.	-	-	-	-	-	-	-	ijd.
The Entering of every Boat, Bark, or Pickard	-	-	-	-	-	-	-	jd.
The Anchorage in Dry Harbour, or within the heads, having a Cock Boat	-	-	-	-	-	-	-	vijd.
Without a Cock Boat	-	-	-	-	-	-	-	ijd.
Oares of every Boat after the Rate of paying for 100 ^t	-	-	-	-	-	-	-	vijd.
Shafts, Sparrs, Plow Beames, Oak Timber, and all other Kinds of Timber, the 100 ^t 3 or	-	-	-	-	-	-	-	vijd.
21 ^o die Junij, 1669.								

 The Deemsters and 24 Keys being demanded to deliver unto whom the Penny given for entering every Boat, Barque, or Pickard, is due to be paid; they say it ought of right to be paid to the Captaine's Clark, because he keepeth a Book of all Entries whatsoever, and returneth to the Customers a Ticket of those Entries.

A COCKET MAKING.

To all the K. or Q. Majesties Officers, and other Her loving Subjects within the Realme of England, or elsewhere within her Grace's Realmes or Dominions, to whom these Presents shall come to be seen, read, or understood, Greeting.

Form of
Cocket.

Know ye, that A. B. Master and Merchant of the Ship called the C. D. belonging to the Isle of Mann, whereof the Right Hon. the Earle of Derby, Viscount Kinton, Lord Stanley and Strange, Lord of Mann and the said Isle, and of the most Honourable Order of the Garter, Knight, and E. F. Knight, Lieutenant to the said Earle, of the said Isle, are Owners, hath well and truly laden aboard the said Ship in the Poart of Douglas, in the said Isle, to and for the use of the said owners, 520 barrels, of Wheat, every Hundred 5 Score; 20 Dicker of rough Salt Hydes, and ten Hundred rendered Tallow, every Hundred 6 Score Pound Weight, to be transported in the same Ship, from the said Isle of Mann, unto the Isle of Bion, in Galicia, or unto Lisburne, into Portugale, or where the said Ship may best make Sale of his Loading; and hath well and truly paid all Dutys and Customes due for the same. In Witness whereof unto these Presents, wee the Water Bayliff and Customer of the Isle of Mann, have put our Seale of Office, the 1st Day of February, in the 24th Year of our Sovereigne Lady Elizabeth, by the Grace of God, Queene of England, France and Ireland, Defender of the Faith, &c.

A BOOK OF THE SPIRITUAL LAWES AND CUSTOMES,

Belonging to the Isle of Mann, copied out of the Originall.

Herring Custom payable to Bishop.

1. First, that the Bishops shall have their Herring Scoute and their fishing Boate, freely and franckly, without any Tythes paying, wheresoever they Land in this Isle. In like manner had the Abbot, the Priors, the Archdeacon.

To Parsons.

2. Alsoe, all Parsons, Viccars of the Thirds or Pention instituted, shall always choose their Fishing Boat at Easter Time, and their Scoute at Herring Fishing Time, whether their fishing be about this Land, or elsewhere.

Children Executors.

3. Alsoe, that every one that dyeth intestate, that the Bopp, or his Viccars General, shall constitute, and ordaine his Children, legitimately begotten, to be joyntly Executors; provided always, those being unmarried: and those that are married, their Dowry cutteth them off for having any further Portion of Goodes.¹

Legacy of Sixpence necessary.

4. Alsoe, if any make their Testament, and leave not vj d. Legacy unto their Children unmarried (legitimately begotten,) or the Value thereof, that then the Ordinary may lawfully make him or her Executors with the rest.²

Goods of intestate to go to next of kin.

5. Alsoe, if any dye intestate, having no Children legitimately begotten, but only base Children, then the Ordinary shall make and Ordaine his next of Kindred, both of Father's and Mother's Side, to be lawful Executors: and the base begotten to be rewarded of the Charity, at the Discretion of the Ordinary.¹

Distribution of property of deceased.

6. Also, that every Man and Wife which depart this Life upon the South Side of this Isle, do stand in one Effect; that is to say, the Man to have the one Halfe, and the Wife the other Halfe: provided always, that the Debts temporall be paid out of the Whole, and the Debts spiritual out of the Dead his Parte.³

Interest of wife in husband's property.

7. Alsoe, upon the North Side of this Isle, in Case a Man or Wife depart this Life having no Children, or Issue, the Wife hath the one Halfe, and may bequeath it to whom she will; and in like Manner it is upon the South Side of this Isle. But in case there be any Issue or Children, lawfully begotten, then if the Man depart, the Goodes moveable are divided into three Parts, viz. one Part to the Executors, another Part to the Dead, and the third Part to the Wife. And of all Goodes immoveable, not having any Life, the Wife hath the Halfe on the North Side.³

¹ Repealed by Statute of 1777, Chap. 14.

² Repealed by The Wills Act, 1869, Sec. 26.

³ Repealed by Statute of 1777, Chap. 13.

8. Also, if either Father or Mother depart, having Children, if the said Children be of Years of Discretion, that is to say, xiiij Yeares of Age, they may divide goods either with Father or Mother, and may repair to whom they will.¹

At 14 Children may divide Goods.

9. Also, if there be but one Child betwixt Man and Wife, the Father's Kindred shall have the Custody of the aforesaid Child and Goods until xiiij Yeares of Age, except the Father make any other Order by his last Will, and leave the Custody of the said Child and Goodes unto the Tuition of any other, then that to be observed. And if there be two Children, the Mother shall have the one, that is to say, the eldest; and if the Mother dye before the Child come to Yeares of Discretion, she may leave the Custody of the said Child to whom she thinketh good, and the next of Kin of the Father's Side and of the Mother's Side Supervisors.

Custody of Children to under 14.

10. Also, if either Father or Mother depart, having Children not come to Yeares of Discretion, having left Executors, and if any of them depart, the Ordinary shall make the rest, being alive, Executors; and in case all dye under Age, then the Goods shall returne to the Kindred next from whence it came.¹

If children die under age, next of kin take goods.

11. Also, if any Man marry a Wife, and the Wife depart before a Twelvemonth and a Day, the Man shall have none of the Marriage Goodes; and in like Manner, if the Man depart before a Twelvemonth and a Day, the Wife can have noe Part or Portion of his Goodes, except it be given by Gift, or bequeathed by the Will of either Party; if there be no Will or Testament made, then the Goodes to return to the next of Kinn.²

Unless one year married no dowry.

12. Alsoe, if any do remove from one Parish to another, and if the Cock crow trise, they remaining there three Nights and three Days after removing, that then the Person departed shall pay all spirituall Dutyes to that same Church within the same Parish he doth remove unto.

In case of removal to other Parish, Duties there paid.

13. Alsoe, the Ordinary hath for the Probacion of a rich Man's Will xij d., and for a poor Man's Will iij d. as is expressed in the perpetual Indentures betwixt the Clergy and the Temporalty. But whereas rich Men do depart intestate, and the Ordinary to make a perfect Will according to the Custome of the Countrey it hath been accustomed, the Ordinary to have iij s. iij d. for his Paines.³

Cost of Probate.

14. Alsoe, as concerning Cors-present or Mortuaries are taken as it is expressed in the Indenture betwixt the Clergy and the Temporalty; which Indenture is agreed to stand for ever, and all under xiiij Yeares of Age pay noe Cors-presents.⁴

Cors presents.

15. Alsoe, Legacys are to be paid within xiiij Days after the Probacion of the Will.

Legacies payable in 14 Days after Probate.

16. Alsoe, that all Tyth Corne be received by the tenth Stoke for casting the tenth Sheafe in the Rean or Furrow was never used nor heard of; and for carrying of the Tith Corn away, the Parson or Proctor is at Liberty to carry it the next Way, keeping the Husbandman harmless, making the Ditch in the same Sort, or as able as it was, or as he found it.⁵

Tyth Corn to be received by Stoke.

¹ Repealed by Statute of 1777, Chap. 14, and Act of 1852.

² Repealed by Statute of 1777, Chap. 13.

³ Repealed by Statute of 1748, Chap. 3.

⁴ Repealed by Act of 1643, Sec. 5.

⁵ Tithes payable to Bishop and Clergy and certain Improprate Tithes commuted by Act of 1839.

Notice to
Parsons.

17. Alsoe, that noe Husbandman do lead any Corne or Hay before sufficient warning and Knowledge be given to the Parson, Vicar, or Proctor, when that the Corne is sufficient dry and able to be stacked, and the Hay also.¹

3-fold pay-
able in case
of Fraud.

18. Also, if any Man convey, purloine, or hide any Corne in Houses or elsewhere to defraud the Tithes, that then the Parson, Vicar, or Proctor, to be restored three fould; but in case they need to thresh any Corn for their Necessity or Need, then to take with them two honest Men, which will testify the Tyth thereof to be truly paid.¹

Making up
Stacks before
agreement
with Parson.

19. Also, if any do lead or stack their Corn in Contimacion, or not agreeing with the Parson, Vicar, or Proctor, for the Tith thereof, that then the Sumner at the Appointment of the Ordinary, with two honest Neighbours or more, have used to cast down their Stackes, and take forth their Tythes; and the said Husbandman shall make all Charges for casting down the Stackes, and making up again; and further to be punished at the Discretion of the Ordinary for the Cryme.¹

Tythe Flax
and Hemp.

20. Also, all Tyth Flax and Hemp is to be brought to the Parish Church with the Seed thereof.¹

Tythe Butter
and Cheese.

21. Also, that every one do bring into their Parish Church their Tyth Cheese and their Butter truly; that is to say once every Month the xxiiij Houres Milk made in a Cheese or Butter, beginning in the Month of May; and so of the Monthes of June, July, August, September, and October; And in case any do make Cheese or Butter, and do not bring in as is aforesaid, in case they be searched to be found withal, then to forfeitt all the Cheese and Butter that is so taken.²

Payments
in lieu of
Tithes.

22. Also, those that depose that they have neither Butter nor Cheese made within any of the said Monthes, that then if they have one Milk Cow to pay ijd., out of every Farrow Cow jd., out of eight Sheep ijd., and out of four Goats ijd.²

Sumner
1 Cheese.

23. Also the Sumner hath for his Paines and Duty doing one principall Cheese; in like Manner hath the Parson, Clark, Vicar, or Curate, for writing all Things orderly belonging to the Tyth Cheese.²

Tythe Lamb
and Wool to
be paid in
May or June.

24. Also, that every one do bring into their Foulds all their Sheep and Lambs at such Time as the Parson, Vicar, or Proctor, shall appoint, either in the latter end of the Month of May, or els in the Month of June, to pay truly their Tythe Lamb and Wool without any Fraud or Deceit; that is to say, out of eight one Lamb, and so out of 9, 10, 11, or 12, but one Lamb; provided always, that if the Husbandman pay one Lamb or more, he shall have choice of two Lambs, and then the Proctor where he pleaseth of the rest.¹

Tithe
Lambs.

25. Also, in case the Husbandman hath but five Lambs, then the Husbandman shall chose one, and the next to the

¹ Tithes payable to Bishop and Clergy and certain impropriate Tithes commuted by Act of 1839.

² Repealed by Act of 1643, Sec. 6.

best; the Proctor shall praise, and the Husbandman shall give or take; and if their be but 2 or 3 Lambs, then Ob. out of every Lamb.¹

26. Also, every one that hath wild Sheep or Lambs Wild Sheep, that cannot be brought to fold, then the Proctor hath used &c. to depose them upon a Book what Wool and Lambs they have, and so to pay truly the Tyth thereof.¹

27. Also, whosoever doth convey or hide his Lambs Punish-
ment for
hiding
Lambs. from Place to Place, and from Parish to Parish, for deceiving of the Church, if it can be so proved, then Restitucion to be made three fould.¹

28. Also, that all Proctors ought at Martinmas Time Small
Tythes. to put in a Book all small Tythes within the Parishes, that is to say, Purrs, Calves, and Colts, and to receive them from the Husbandman at Easter Time; and out of 8, 9, or 10, one Purr, and out of 12 but one Purr; and like Manner of Calves and Coultts; provided alwayes that the Husbandman shall choose one or two out of the Whole of the best when he payeth one or more, either Purrs, Calves, or Colts.¹

29. Also, when any Man hath but five Purrs, Calves, Tythe Calves
and Colts. or Colts, then the Husbandman shall have one Choice, and then the Proctor to praise the next, and the Husbandman to take or give; and if the Husbandman hath but three Calves, he shall pay out of every one Ob., out of three Colts 5*d*. And whereas the Proctor hath not had for six or seven Lambs but Half a Lamb, then he may take out of four Lambs Halfe; in like Manner of Purrs, Calves, and Colts.¹

30. Also concerning Tyth Geese, they are to be taken Tythe Geese,
Eggs, Hens,
&c. after the same Order, and most commonly taken in the Month of December. And as for Tyth Eggs, they are to be taken at Easter, and are the beginning of the Annual Fruites next ensuing; for every Hen one Egg, and for the only Cock two Eggs.¹

31. Alsoe, concerning Honey and Tyth Wax; if there Tythe
Honey. be 8, 9, or 10 Hives of that Yeare, then the Husbandman shall have two Choices, or out of Twelve: and the Proctor shall have the third Choice Hive for Tyth. And if in Case there be but 5 Hyves, the Husbandman shall have one Choice, and the Proctor shall praise the next Choice, and the Husbandman to give or take; but when there is but 2 or 3 Hyves, then after the Wax and Honey is purified,

¹ Tithes payable to Bishop and Clergy and certain impropriate Tithes commuted by Act of 1839.

they shall take the Tyth thereof justly and truly. And, whereas the Proctor hath not had out of vj or vij Hyves, but half a Hyve; then he may take out of iiij Hyves, half an Hyve.¹

Tythe Fish.

32. Alsoe, every Master of every Fishing Boat shall cause all the Fish to be brought above the full Sea Mark, and there pay truly the Tyth. And if they will not truly pay, then the Master shall make five Shares of all his Fish, and the Proctor shall appoint to be divided what Share he will; the Master must divide: the Proctor shall choose in that Order, because it hath no Life.

Tythe Herring.

33. Alsoe, when Herring Fishing is, the Proctor shall take his Tyth where the Boat doth ground and land; if the Boates land in another Parish than their own, they pay half Tyth there for the landing, except it be of such Boates as are in the first article specified. Bishop, Archdeacon, or Parson instituted, their Boates are free, and pay no Tythings.

Tythe Salmon.

34. And if there be any Salmon Fishes taken, either in Salt Water or in Fresh, the Tyth thereof is to be paid.

Boats fishing from home to pay Half Tythe.

35. Alsoe, all those Boates that Fish, either in England or in Ireland, either for Herring or Gray Fish, is to agree for half the Tyth at their coming home, with their own Parson, Viccar, or Proctor: and in Case they bring any Fresh Herrings, not having paid half Tyth there, they must pay whole Tyth here.

Tythe Lamb and Fleece.

36. Also, whereas the Sumner, Parson, and Clerk, take Pains in gathering Wooll and Lamb, having with them one Horse a-piece, and in like Manner one Sack for Carriage of the Wooll; then either of them to have one choice Lamb and one Fleece of Wooll paid out of the Tyth.¹

Sumner's Corn Duty.

37. Alsoe, as concerning the Sumner's Duty of Corne, he must have a Band of three Lengthes of three principal Cornes Porcion alike paid from every Husbandman, and he must call within the Church with the Advice of the Vicar or Curate all such Things as he is requested of the Parish that is gone or lost, and ought to stand at the Chancell Door at time of Service to whip and beat all the Doggs.

Sumner's Fee on Commitments.

38. Alsoe, when the Sumner is required by the Ordinary to bring any Offender to Prison, he hath for his Pains iiij d. and in like Manner the Porter iiij d. of the same Offender; and when any is irregular or disobedient unto the Sumner and Ordinary, then the Ordinary hath used to send for aid unto the Constable of the Castle or of the

¹ Tithes payable to Bishop and Clergy and certain impropriate Tithes commuted by Act of 1839.

Peele, who presently ought to send a Soldier to bring such Offender to the Bishop his Prison ; and the same Soldier to have for his Paines of every such Offender at the Discretion of the Ordinary.¹

39. Alsoe, if in case any do bequeath a Corbe or Hyre-loome for a Legacy, the same shall not be given, but the Value thereof with Discretion. Corbs not devisable.

40. Also, it is accustomed that all Men of Occupation, what Science soever they be of, is to pay for the Tyth of the same *ij*d. yearly, although he use it but three Times in the Yeare ; provided always, that all Apprentices, during the Time of their Apprenticeship, pay nothing. Trades Titheable.

41. Also, all Persons that are married and unmarried, that have received the Communion before, pay *ij*d. every Easter for four Offering Days ; but in case that be the first Time that any Person doth receive, he payeth but an Ob. which the Curate must have, and he shall examine all such of their Beliefe. Easter Dues.

42. Alsoe, every Parish hath that Liberty, that they may chuse their Clark,² but the Ordinary must authorise, accept, and allow of him to be sufficient and able for that Office ; and in every Time of Visitation, and other Business, first the Parish must send to the Clark, and the Clark come to the Priest and wait upon him. Clerk to be chosen by Parish.

43. Alsoe, the Clark's Due his standing Wages is a Groate out of every Plow, if the Plowes plow but 3 Furrowes within the Yeare ; and those that have no Plowes and keep Smoak, payeth annually *j*d. His Dues in respect of Ploughs and Smoak, &c.

44. Alsoe, the Clark must have of every Man that departeth this Life, being able to pay, a whole Corsepresent *xx*d. or else his Apparell, as was used in old Time ; and of a Woman *xviij*d. or else such Dutyes as were used in old Time ; and of the Poor, all Debts being paid, to be reasonably agreed withall.

45. Alsoe, the Clark's Silver on the South Side of the Isle is *xj*d. and the Headpenny, of the which *xij*d. the Curate hath *vij*d. the Parish Clark *ij*d. and the Parson's Clark *ij*d. and upon the North Side *xvj*d. Clerk's Silver.

46. Alsoe, in case a poor Man or Woman depart, and there is not wherewithall to pay the Clark's Silver, then the Clark shall have no Duty, but the Duty to be sold to pay the Headpenny and Clark's Silver ; and if any want, the next of Kinn, both of Father's Side and Mother's Side, legitimately begotten, is to make it out ; because if the Party which departed were wealthy, and made no Will, they should be his Executors.

¹ Repealed as to Sumners and Constables (who now perform Civil Duties of Soldiers prior to 1765) by Statute of 1813, Chap. 2.

² Repealed by the Church Act, 1880, Sec. 34.

Executor's
crop from
Gleebe Lands
sown before
Easter Day.

Incumbent
dying on
Easter Day.

Tythes corn
may be
stacked in
Farmer's
yard.

Witchcraft.

Fees to
Ordinary.

Parish to
repair body,
Parson chan-
cel of Church.

Church-
wardens.

Prison for
Irish and
Scotch.

47. Alsoe, all Gleebe Lands pertaining to spirituall Men, that is to say, Bishop, Archdeacon, Parson, Vicar, Curate, or Clark, if the Executors or Assignes do sow any of the said Gleebe Land before Easter Day, they shall have all such Corne as is sown, with the Proffitt thereof, and shall be at Liberty to reape the said Corne, and carry it away.¹

48. Alsoe, if either Bishop, Archdeacon, Farmer, Parson, or Viccar, having Leases, do depart this Life after Twelve of the Clock past upon Easter Day, their Executors or Assigns have ever been accustomed to have and enjoy all the Proffitts of that Yeare until Easter Day next ensuing, and shall find and see the Cure served and discharged.¹

49. Alsoe, whereas Parsons and Proctors having Tithes being far off, and cannot conveniently bring them Home, it hath been accustomed to draw and stack the same in the Husbandman's Haggard without any Trouble or Let.

50. Alsoe, all those which are suspected of Sorcerrie or Witchcraft, and are presented by the Chapter Quest, then the Ordinary doth examine all such Causes; and finding any Suspicion, shall appoint another Jury of honest probable Men within the same Parish, and doth committ the Party suspected in the meane Time to the Bishop his Prison: And all the Offences and Crimes the Jury do find, or can prove, the Ordinary shall write; and if the Jury can bring or prove any notorious Fact or Crime done by the said Person, then the Ordinary doth deliver the same Person out of the Bishop's Prison to my Lord's Goale and Court.

51. Also, it hath been accustomed the Ordinary to take for every Citacion *vjd.* for every Suspencion *xviijd.* and for Excommunication, *ijs. vjd.*,² and if the Excommunicated will not appear, it hath been used to send for a Soldier to bring the Offender to the Bishop's Prison.

52. Also, when any great Offence is worthy Excommunication, then the Ordinary hath been used to take for the Excommunication, Absolucion, and receiving all such Persons into the Church again, *xs.*²

53. Also, all Parishioners are bound to maintaine and keep upp the Body of the Church within and without, with all Ornaments, Bookes, and other Necessaries; and the Parson is bound to repair and keep in good Order the Chancell.

54. Alsoe, all Churchwardens must be appointed and sworne once a Yeare to see good Orders kept in the Church and Church-yard, their Church-yard Ditch to be well made, and to make a true and just Accompt to their Parishioners four Times in the Yeare.

55. Also, when any Irishman or Scotchman is found irregular, or hath committed any notorious Crime, they shall not be comitted to the Bishop his Prison within the Peele, but shall be comitted to the Moare's Tower within the Castle, or elsewhere by Discretion.

¹ Repealed by Act of 1844.

² Repealed by Statute of 1748, Chap. 3.

56. Also, all Curates hyred from Easter to Easter, or longer, shall give a Quarter of a Yeare's Warning before Easter Day to his Master, in case his Will be to depart and go away from him; and in like Manner the Master shall give a Quarter of a Yeare's Warning to his Curate in case he will put him away; provided alwayes, that the Ordinary shall place and displace all such Curates at his Discretion.

Curate to have and give a quarters notice of leaving Cure.

57. Also, it hath been accustomed when the Ordinary sends any Citacion Abroad for the keeping of Spirituall Courts, Chapters, or any other weighty Matters, then the Ordinary to send to the General Sumner, and he with all speed to send them Abroad.

Citation.

58. Also, if any Parson, Viccar of the Third or Pencion do depart, and no other be installed within six Months from Easter next ensuing his Departure, the Bishop or Ordinary shall take it in Lapse, if it be not in the Guift of the Lord of this Land or Isle.

Lapse of Benefice not filled within Six Months.

59. Also, it was accustomed that all instituted Viccars of Pencion, heretofore having five Marks Stipend, should have four Nobles in Tythes of the old Sum at the least.

Tithes to certain Vicars.

THE BOOK OF THE CUSTOMARY STATUTES OF THE ISLE OF MAN.

Memorandum, the 13th Day of July 1577—That all the whole Customes which were by my Lord his Commandment put in Writing by us, his two Deemsters, were proclaimed to be holden for Law at the Tynwald Day att St. John's Chappell the Day and Year above written.

Certain old Customes given for Law which have never been put in writing, but used and allowed of long Time heretofore.

1. Alsoe, we give for Law, that if any Man dye, the Wife to have the one Half of all his Goodes, moveable and immoveable, and the Debts to be paid out of the Whole; and also the Wife to have the one Halfe of the Tenement wherein she dwelleth during her Widowhood.¹

Wife to have half Goods, subject to half Debts.

2. Alsoe, we give for Law, that if there be any Man or Woman that mislike their Children's Behaviour, the Parties making their Will before the Priest and Clarke, or sufficient Witnesses, that then if the Parties doe bequeath to their said Children but vjd. they can claime no more for their Child's Part of Goodes, except they dye without any Will making, and then all the Children are Executors by the Law; and if they make their Wills, they may give their Goodes and make Executors whom they please.²

Legacy of 6d. sufficient to bar Child's claims.

¹ Repealed by Statute of 1777, Chap. 13.

² Repealed by Statute of 1777, Chap. 14, and the Wills Act, 1869.

Mod of sum-
moning
Defendants.

3. Alsoe we give for Law, that if one Man having any Action the one against the other, it is lawful for the Moare to summon the same Party at the Request of the Plaintiff at the Parish Church, and the said Moare to have two Witnesses with him at their summoning.

Fine for non-
appearance.

4. Alsoe, we give for Law, that whosoever is summoned, and doth not appear when he is called in Court, that the Deemster doth call in the Moare with two Witnesses, one on every Hand of him, and to sweare that they heard such a Man summoned, then he is to be putt in *vjd.* fine to the Lord.

Like.

5. Alsoe we give for Law, that the Parties whom he hath summoned, the other shall enter his Action by taking of the Law, and there to be received what Loss or Hindrance is done unto him; and then at the next Court holden he is to be summoned againe, and if he do not appear, the Moare must do as is aforesaid, and he shall enter his Action again, and the Sume of his Losses in that Action as he shall think good to say for himselfe; and then the Party shall be put in *vjd.* Fine againe, which is the second Time.

Third Court
Judgment
with Costs.

6. Alsoe we give for Law, that if there be any Man who hath been summoned thrice, and doth not appear at the third Court holden being summoned as is aforesaid, then the Party to come in and enter his Action, and what Losses, Costs, and Hindrances he doth alledge or lay to his Charge, he is to pay the Whole, and be putt in *vjd.* fine to my Lord.¹

Notice of Im-
pounding.

7. Alsoe we give for Law, that whosoever doth take any Man's Goodes, and bring it to the Pinfold, he shall send to him that oweth the Goods to loose them by; and the Party that taketh the said Goodes must send Word to him that oweth it with convenient Speed, knowing the Owner; and the Owner not being knowne, to be called in the Parish Church upon the next Sunday, or in the Markett; if that then he will not do as is aforesaid, to give his Goodes Water once a Day; and if they dye, he can have no Mends, for they are lost in his own Default.

Defendant
found in
Court may be
sued without
Summons.

8. Also we give for Law, that if any Person or Persons having Occasion to take the Law one against another, if that he find him within the Court, he may by Law take him by the Arm, and bring him before the Deemsters, and set his Foot upon his, and take the Law of him, although he never summoned him.

Lord to have
 $\frac{1}{2}d.$ for every
foot on beast
in Pound.

9. Also we give for Law, that whosoever hath his Goodes brought to the Lord's Pinfold shall have the Goodes given him again the first time free, without paying him any thing for them;² and if they come a

¹ Repealed by Act of 1737, Sec. 10.

² Repealed by Statute of 1665, Chap. 2, Sec. 2.

second time, the Lord to have an Ob. for every Beast's Foot as oft as they shall come afterward, whereof the one Half to go to the Keeper of the Pinfold.

10. Also we give for Law, that whosoever is apprehended for Felony, and is condemned by the Deemsters to dye, the Party that sueth him to Death can have no more than is found in his Hands which he is arraigned for, and condemned by the Law, altho' he confess that he had more; for that which he had is my Lord's by his Prerogative. Felon's Goods.

11. Alsoe we give for Law, that the Coroners shall every Court Day present whosoever they be that have disobeyed his Yard in my Lord his Affairs; these Offenders then are to be fined at the Discretion of the Officers and according to Law. Presentment by Coroner.

12. Alsoe we give for Law, that the Moares shall every Court Day present all them who have disobeyed their Yards, and then they are to be fined as afforesaid. Like by Moares.

13. Also we give for Law, that whosoever keepeth any Lidgates, being Highways to the Forest, to draw their Turff and Ling, and to drive their Goodes to the Commons, that such Persons as use that said Way, shall pay to him that keeps the said Gates, an Ob. at the end of every seven Yeares; and if that it be betwixt Neighbours, they to make it among them, and to take the Ob. of every Man at the Time appointed. Duty for Lidgate.

14. Also we give for Law, that when Controversy falls between Party and Party for any Manner of Cause, that then the Party Plaintiff shall bring with him two honest Men to sweare with him to witness Trueth, according to the Lawes, soe that they witness to their own Knowledges. Two Witnesses necessary.

15. Alsoe we give for Law, that whereas two or three Tennants dwelling on one Farme, holding the said Ground without Lease, that if one of them that comes last cause the Ground to be divided, he must divide it himselfe, and give the eldest his Choice: and so may he that is youngest in that Ground. Partition of Farm.

16. Also we give for Law that all manner of Tennants, as well my Lord's as others, shall make a sufficient Ditch to defend his Goodes from his Neighbours, that is to know such a Ditch as shall defend Horse or Cow, and to be made from the Annuntiation of our Blessed Lady till Michaelmas, and to keep a sufficient Herd to keep their Beast from doing Injury one to the other. Fences.

17. Alsoe we give for Law, that all Manner of Persons dwelling upon our Lord his Land shall enter at the Court holden at May upon the Farme, and the old Tennant to go New Tenant to enter at May, Old to

have Crop of his Way, soe that the new Tennant may enter upon the Grass, because he pays the setting Turff; provided always, that the old Tennant shall have the Cropp which he may take with his Sickle or Syth, as well Grass as Corne; and also he ought to have of the Eddish as much as he can eat with his Beast from Morning till xij a Clock, and the new Tennant to have the Afternoon's Grass, and soe continue until he have stacked his Corne, and then to have no more Grass at all; but he ought to have a Barn to thresh his Corne in, and other Houses, at the Discretion of the Deemsters for the Time, and the old Tennant to pay the Yeare's Rent.

Turf Rent.

18. Also we give for Law, that all Manner of Person or Persons that goeth to my Lord his Forrest for Turff or Ling ought to pay the Forrester an Ob.; and if the Party do putt in stoned Horses and Cattle, he ought to pay a Penny Halfpenny.¹

Deemster's Servant.

19. Also we give for Law, that the Deemsters ought to have one Choice Servant out of every Sheading at Allhollowtide, and likewise at May for Maid Servants, or more if it be needful for them.

Moare's Servant.

20. Also we give for Law, that the Moares ought to have their Choice Servants within their Parishes at Allhollowtide, and at May a Woman Servant.

Vicar's Servant.

21. Also we give for Law, that all instituted Parsons, and Viccars of Third or Viccars of Pencion, ought to have his Brige and Staff; that is to say, if they have a Man Servant that cometh to them of his own free Will, he ought not to be taken from them.

Tenant's Fee to Coroner's.

22. Also we give for Law, that all Manner of Tennants that bear my Lord but a Penny Rent, shall pay the Coroner's Fee; and if that he committ Fellony, or any other Trespass, my Lord ought to have his Goodes by the Prerogative of his Laws, whose Tennant soever he be.

Corbes.

23. Also we give for Law, that the Deemsters may give Sentence three several Times for Corbes to three sundry Persons one after another, and the fourth Person come afterward he loses his Right for his long tarrieing.

Wife to have half if no Child, third if a Child.

24. Alsoe we give for Law, that if any Man dye, his Wife to have the one Halfe of his unmoveable Goodes, and the third Part moveable Goodes, having Children; and if he have none, she ought to have the one Halfe of all the Goodes, whatsoever it bee, provided that the Church Dutys be paid of the Dead's Part; and all the temporal Debts to be paid out of the whole Goodes.²

Witnesses.

25. Also, we give for Law, that whereas Controversy falls between Party and Party, he who is the Defendant must sweare with honest Witnesses with him to their own Knowledges.

¹ Forest disafforested by The Isle of Man Disafforesting Act of 186C.

² Repealed by Statute of 1777, Chap. 13.

26. Also we give for Law, that all Persons who bear 6*d*. Rent to my Lord ought to make their Appearance at every Court holden within the Sheading wherein the dwell; and if they do not appear when and where they are called, they ought to be fined by the Discretion of the Governor and Officers.

Appearance
by Tenants
in Court.

27. Also we give for Law, that if any Man having but one Child, the next of Kin of the Father's Side shall have the Custody of the Child and all his Goodes till xiiij Years of Age, and then he may choose to go to whom he please; providing alwayes, that if the Child dye being under xiiij Yeares of Age, then the said Goodes to come to the next of Kin upon the Father's Side, being legitimately begotten; and if the said Goods come by the Mother's Side, then the next of Kin by the Mother to have it as afforesaid; if there be two Children, then the Father's Side to have the youngest, and the other Kindred to have the eldest Child, with his Goodes.

Custody of
Infants to
whom.

28. Also we give for Law, that all Coroners shall make a general Search four Times in the Yeare for my Lord his Profit, that is, at Allhollowtide, Christmas, Feasteen-Even, and Whitsuntide, throughout all the Isle, every Coroner within his own Sheading, and this they ought to do by Custome.

Coroners to
make Quar-
terly Search.

29. Also we give for Law, that a Bastard can have no Goodes, except they be given him by Will, or at the Discretion of the Ordinary upon Charity,¹ otherwise they can have none by Lawe.

Bastard can-
not inherit.

30. Also we give for Law, that the Husbandman's Son is my Lord His Honour's Treasure, for that he is to be a Tennant; when any poor Man doth fall in Poverty, and is not able to provide Rent, then he is to be taken and sett in the said Ground by Force and Tenure of the Straw, and then he must pay the said Rent as long as he is able; except he fall into Poverty, he shall keep it still, except he be his Father's eldest Son; and if his Father dye, he shall be set at Liberty.

Tenure of
Straw.

31. Also we give for Law, that when any Action is recovered, the Moar shall go to his House which has been judged to make Amends for any Trespass committed betwixt Party and Party; and the said Moar shall deliver sufficient Stress or Double within fourteene Dayes Space after the Judgment is given; And the said Stress ought to be called in the Church three severall Sundays together,² and if he that oweth it

Form of
taking Goods
after Judg-
ment.

¹ Repealed by Statute of 1777, Chap. 14.

² Repealed by The Public Notices Act, 1872, Sec. 4.

doth not come and loose it upon the fourth Sunday, or before, he may sell it lawfully, and the party looseth it for ever, having the overplus paid back to him.

Right of way
to High
Road.

32. Also we give for Law, that when a Man cometh to the Deemsters to move that he wants an Highway from his House to the King's Highway, he ought to drive as far upon his own Ground as he may to the King's Highway; and then he ought to have a Way upon his Neighbour, and that ought to be xvij Foot broad; and if his own Ground come to the Highway, he can have none of his Neighbours; for altho' he want the nearest Way, he ought not to have it in that Order, altho' it be further about.

Felons not
to be har-
boured.

33. Alsoe we give for Law, that no Manner of Persons doe receive or receipt any common Thieves which dwelleth upon the North Side shall be received upon the South Side by noe Man dwelling there, nor noe Thief that committs Fellony dwelling upon the South Side of this Isle shall be received nor receipted by any Man dwelling upon the North Side; for if any of them doe as is aforesaid, for the same receipting he is a Felon by the Law, as well as he that stealeth the Goodes, whatsoever it be of Value.

Fine for
killing Lord's
Game.
Like.

34. Alsoe we give for Law, that whosoever goeth to the Forrest either by Day or Night to kill my Lord his Game, he ought to pay viijl. for every one of them, as well young as old, and for every tame Deere xl, and to be imprisoned at the Discretion of the Officers.¹

35. Also we give for Law, that whosoever goeth to the Hough where the Hawkes do breed, or Hyrons likewise, he forfeiteth for every of them; that is to say, if he take any of the old or young Ones, or Eggs, iijl. a-piecc for soe many as he or they may be proved to have in the Court.

MEMORANDUM.

*Hereafter follows the Fencing of the Sheading Courts,
and the Charge to the Great Enquest, &c.*

Fencing
Court.

I doe Fence the King of Man, and his Offices, that noe Manner of Man do brawle or quarrell, nor mollest the Audience, lying, leaning, or sitting, and to show their Accord, and answer when they are called, by Lycense of the King of Man and his Officers.

I doe draw Witness to the whole Audience that the
Court is Fenced.

¹ Forest disafforested by The Isle of Man Disafforesting Act of 1860.

It is the King of Man his Pleasure and his Officers to keep Court twice in the Year, that all Men, both rich and poor, deafe and dumbe, halt, lame, and blind, to come thither upon Horseback, or on Foot, to be drawne thither upon Horse or Carr, that they may know the King of Man his Pleasure and his Officers, and the Law of his Country.

Call in four honest Men of every Parish to goe upon the Great Enquest, to present all Trespasses that were done in the half Yeare.

1. First, You shall enquire if there be any Manner of Charge to Person or Persons that have been sworn out of the King- Enquest. dom or Barronie bee received or receipted within this Land, without my Lord his special Pardon or Warrant; if there be any such Person or Persons that comitt the like Offence you shall, by virtue of your Oathe. present them.

2 Alsoe, you shall enquire whether all petty Officers doe execute their Offices; that is to say, the Coroner and Officers to execute their his Lockman, the Moar and his Runners, the Waterbayliff duty. and his Deputys, and the Forrest Keeper and his Deputyes; and if there be any of them that doe otherwise than the old Law of the King of Man doth permitt them, if there be any such, you shall, by virtue of your Oathes, present them.

3. Also, you shall enquire whether all petty Craftsmen doe execute their Occupation justly; that is to say, Shoemakers, Coblers, Taylors, Websters Women, Weavers, and Smithes; if there be any of these, that do otherwise then Craftesmen to execute occupation justly. the old Lawes of this Isle will permit you shall by vertue of this your Oath present them.

4. Also you shall enquire whether that all manner of person or persons do carry Quick Beeves out of this Land Importation of quick beeves. without Lycence, further than the Coroner or his Lockman may, by virtue of their Office, arreest for my Lord his Use; if there be any such Person or Persons, you shall, by virtue of your Oathes, present them.

5. Alsoe, you shall enquire whether there be any Manner of Person or Persons that go into the Houghs where the Presentment for taking Hawkes do Breed, to take old or young Hawkes, or Hawkes Hawks. Eggs out of the Nests; if there be any such, you shall, by virtue of your Oath, present them.

6. Also, you shall enquire whether there be any Manner of Person or Persons that bring any Aliens into the Country Like for Pedlars going into country without cause shewn. Soyle, that is to say, Pedlars or Chapmen, that they go no further than to the next Parish Church unto the Haven wherein they doe land, except one of them do repair unto

the Lieutenant Captain or his Deputy, to shew unto them the Cause of their coming into the Countrey; and if they do come in at one Tide and go out at the other; otherwise you shall, by virtue of your Oathes, present them.

Like for
taking
Hyrons.

7. Alsoe, you shall enquire whether there be any Manner of Person or Persons that go into the Houghes where the Hyrons do Breed, to take old Hyron or young, or Hyrons Eggs out of the Nests; if there be any such Person or Persons, you shall, by virtue of your Oath, present them.

Like for
hunting in
Forests.

8. Also, you shall enquire if there be any Manner of Person or Persons that goeth by Day or Night with his Bow or Arrowe to the King's Forrest, or with his Hounds or Greyhounds, to kill the Lord his Game; if there be any such, you shall, by virtue of your Oath, present them.¹

Like for
firing Gorse.

9. Also, you shall enquire if there be any Person or Persons set Fire upon any Ling, Gorse, or Turff, within the King's Forrest, either by Day or by Night; if there be any such, you shall, by virtue of your Oathes, present them.

Like for
leaving
Fences open.

10. Also, you shall enquire if there be any Manner of Person or Persons that leave their Fell Ditch or Lidgates open, and going unto the Forrest or Lidgate open unto the Lowlands, which may be hurtful unto their Neighbour; if there be any such, you shall, by virtue of your Oath, present them.

Like for
taking Lord's
Wrecks.

11. Also, you shall enquire if there be any Person or Persons that take up my Lord his Wreck or Flotes further than from the Low-water Markes, till above the full Sea, without the Coroner or Lockman with two Witnesses with them to certify the Truth; if there be any such, by virtue of your Oath, you shall present them.

Presentment
for the har-
bouring a
Felon.

12. Also, you shall enquire if there be any common Thief that committeth Fellony dwelling upon the South Side of the Country, and be received or receipted by any Man dwelling upon the North Side of the Country; if there be any such, by virtue of your Oathes, you shall present them.

Horses.

13. Also, you shall enquire if there be any Manner of Person or Persons that keepeth any stoned Horse, except he be worth vjs. viij*d.*; if there be any such, you shall, by virtue of your Oathes, present them.

Like for
keeping dis-
eased Horses.

14. Also, you shall enquire if there be any Manner of Person or Persons that keep any scabbed Horse or Mayre, and if there be any such, the Coroner ought to bring them to the next Hough, and to cast them down there; and whosoever oweth any such Goodes to be put in iij*s.* iiij*d.*

¹ Forest disafforested by The Isle of Man Disafforesting Act of 1860.

Fine and the Coroner to have xij*d.* for his Paines ; and if he do know them, and do not his Duty, he ought to be put in 3*s.* 4*d.* Fine himself for neglecting his Duty ; and if there be any such, by virtue of your Oath, you shall present them.

Here endes the Charge.

15. Alsoe we give for Law, that if any Man take a Woman by Constraint, or force her against her Will, if she be a Wife, he must suffer the Law for her ; if she be a Maid or single Woman, the Deemster shall give her a Rope, a Sword, and a Ring, and then shall have her Choice to hang him with the Rope, cut off his Head with the Sword, or marry him with the Ring.¹ Rape.

16. Alsoe we give for Law, that if a Man get a Maid or young Woman with Child before Marriage, and within a Year or two after doth marry her, if she was never slandered nor defamed with any other Man before, that Child begotten before Marriage shall have his Father's Corbe and his Farme according to the Custom of this Isle. Children legitimate, if born within two years before marriage.

17. Alsoe we give for Law, that if any of the Lord his Tennants be destitute of Servants, and come and make his Complaint to the Deemster, that he can get none to occupy my Lord his Land withall, then the Deemster is to send to the Coroner and to the Lockman of every Parish, and then to swear four honest Men in every Parish to enquire first of vagrant Servants, and to serve the greatest Rent first, and then every Man according to his Rent ; and if there be no such Servants, and if such need be, then he that beareth 5*s.* Rent unto my Lord is to serve him that beareth 10*s.* Rent, rather than the Lord his Land fall to Decay. Servants.

18. Also we give for Law, that no Officer may imprison any Man for Debt, nor any other Cryme, but as the Deemster shall appoint by Law and Process. Imprisonment under Deemsters process.

19. Also we give for Law, that whosoever disobeyeth the Coroner during the Time he carryeth the Rodd, shall forfeit l*x.* to my Lord ; and whosoever disobeyeth the Moare or Serjeant shall forfeit v*js.* viij*d.* being lawfully charged. Fine for disobedience of Coroner.

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*From Exchequer Book,*

1583. No. 4.

Whereupon spetiall Regard of sundry Complaints made by divers the Inhabitants of this Isle, and avoiding of sundry other Inconveniencies ensuing, or hereafter might ensue, Preamble.

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<sup>1</sup> Repealed by Criminal Code 1817, Sec. 9.

being not foreseen and prevented, and specially in regard of the Commonwealth of this Isle in that Behalfe, and the Inhabitants thereof touching sundry Abuses, for want of putting in execution good and laudable Statutes, Laws, Customes, and Orders, heretofore by especiall Providence and Foresight made and ordained, and now for this our especiall Time not only most needful to be revived, remembered, and put in force according to the Meaning of the making of the same, but also some other wholesome Orders answerable to the Time by Consent, to be invented as from Time to Time good Government requireth; the neglecting whereof is not only the Breach and Means whereby good and wholesome Lawes, Statutes, and Orders, rest in Oblivion and Forgetfulness, but also the Commonwealth of this Isle runneth into Ruin, to the great impoverishing and Disquietliness of the Inhabitants thereof, and especially to such honest and discreet Persons as would seek to maintain their honest Estates, if by Occasion of evill-disposed People the were not hindered and letted for want of Redress and Amendment of the said Abuses in Time convenient, and for that such Orders as hereafter shall ensue be at this present chiefly thought most necessary to be put in Execution first. It is, therefore, by good Deliberation and Advice of the Deputie and Councill of the Isle present at this Court of Exchequer, holden at the Holme Town near unto the Peele the 29th of October Anno Domini 1582, whose Names be hereafter subscribed, for renewing and reviewing of the said Statutes, ordered,

29 Oct, 1582.

**Boundaries.**

1. That it shall be lawfull from henceforth for every or any inhabitants whatsoever within the Isle of Mann, occupieing any Lands or Tenements within the said Isle to keep the same in all Winter and Summer without Prejudice, Hurt, or Gainsaying of any of his Neighbours, or other Inhabitant, making his Ditches, environing and compassing the said ground in such lawful repair, and so keeping the same from Time to Time as the Course of Law appointeth viz. every Ditch of the Height of four Foot and a Halfe, and in Thickness of a double Ditch, according to the antient and usual Custom of the said Isle.<sup>1</sup>

**Trespass.**

2. And further, it is ordered in the said Court by the said Councill, that the Goodes or Cattle of any Person or Persons whatsoever making Trespass to the said Ground, being soe sufficiently ditched and kept in repair as is aforesaid, that then it shall be lawful for the Owner of the

<sup>1</sup> Altered as to dimensions of Boundary fences by Act of 1667, Sec. 8, and by Statute of 1691, Chap. 5, Sec. 4.

said Ground, or his Servants or Family, or any of them soe finding the said Cattle comitting the said Trespass within the said Ground, to drive, carry, and lead away the said Goodes or Cattle without Hurt or Harme done to the same, to the Lord his Pinfold within the Parish where the same shall be taken, appointed for that purpose, giving the true Owner sufficient Warning of the Impounding of the said Goodes, to the Intent he may relieve the same according to Order of Law, where the said Goodes shall remaine, without taking or carrying away by the said Owner, or any other for him, until such Time as the said Owner have given sufficient Pledge by way of Surety, or otherwise, as the Law appointeth in that Case, to the Keeper and Pinder of the said Pinfold, to make sufficient Amends to the Party grieved according to the Trespass done, or be answerable to the Law in that Case requireing :

3. And further, notwithstanding the said Pledge given, the said Owner shall pay, before the Departure of the said Beast or Cattle to the said Keeper of the said Pinfold, for every Foot an Halfpenny to the Use of the said Lord according to the Order of Law ; whereof the said Pinder being sworne, shall make true Accompt in Writing from Time to Time as he shall be called upon for the same.

4. Itm. It is further ordered by the said Councell in the said Court, that whereas the Right Honourable Henry Earle of Derby, Lord of this Isle, hath, under his Hand, by the Advise of his Councell in England, and such of the Councell of this Isle as were then present, taken Order for the keeping of his Pastures in Severalltie, as by the said Order doth more at large appear ; that all and every Person and Persons whosoever, whose Tenements, or any other Part or Parcells of Ground do adjoine, abutt, or be, lying over annends or against the Lord his Pastures or Closes, or any of them, within this Isle, shall make the Ditch and Ditches of the said Lord his Closes so farr as the said several Grounds shall extend, of their own proper Costs and Charges, of the lawfull Height and Breadth before specified, and the same shall uphold, maintaine, and keep in sufficient Repair from Time to Time, Winter and Sommer, upon pain to forfeit for every Time that the said Keeper or Keepers of the said Closes shall make true Presentment of the Default in any Court, by his solemn Oath taken upon a Book, that the said Ditches be not made and repaired according to the Limitation before specified, and in whose Default the same is, the Sum of ijs. iiijd. to be levied to the Lord his Use, the said Ditches to be made before the

Pinfold.

Lord's  
Poundage.Lord's boun-  
daries to be  
kept up by  
neighbouring  
Tenants.

Feast of the Purification of our Blessed Lady next ensueing the Date hereof.

Fine for  
riding or  
abusing  
neighbour's  
horses or  
cattle.

5. Itm. Whereas divers and sundry Complaints hath from Time to Time been made, that divers and sundry Inhabitants, being evill-disposed Persons, have, and daily doe abuse the Goodes and Cattle of their Neighbours in riding, labouring, or working them without Lycence of the true Owner, nothing regarding the Hurt that thereby may ensue to the said Owner if the said Goodes shall *quayle*, but maintaining themselves and the noughty Fact by an unlawfull Use and inordinate Custome, worthy to be abolished and not remembered amongst civill People where Friendship and other good Government is to be imbraced: It is therefore by especial Consideracion in that Case ordered in the said Court by the said Councell, that no Person or Persons within the said Isle, of what Degree, Estate, or Condicion soever he or they be, shall after this present Court holden, take any the Goodes or Cattle of his Neighbours, or the Goodes or the Cattle of any other Man, and ride, draw, work, labour, or otherwise employ the same to his own Pleasure or Benefitt, altho' he take the same Goodes trespassing within his Ground, upon pain of forfeit to the Lord his Use for every Time so doing and offending, being duly convicted by Information, Accion, Plaint, or otherwise, by the Averrment of two sufficient Witnesses, upon their Oathes, testified the said Disorder and Abuse, the Sum of three Shillings and four Pence, and otherwise to make Amends to the Party grieved, as the Extremitie of Law will awarde.

Landholders  
Tenants only  
to Lord.

6. Itm. Whereas diverse and sundry the Inhabitants of this Isle, contrary to a good and laudable Order, and diverse and sundrie general Restraints made, not regarding their Duty, have, and daily do, notwithstanding the said Restrainte, buy, sell, give, grant, chap, and exchange their Farmes, Lands, Tenements, Cottages, Milns, Intackes, and other Landes whatsoever in their Holdings, at their Liberties and Pleasures, without the especiall Lycence of the Lord or his Councell of the said Isle; whereupon, and by Means whereof, diverse great Inconveniences have and do arise daily, as by the Sequele thereof appeareth, as well between Party and Party, as also to the Lord himself, making, as it were, common Merchandize of his said Lands, *being but Tennants thereunto*, whereby the Lord his Rents, Duties, and Customes cannott be soe well gotten, nor the antient Tennant known, but the Lord his Lands dispersed into so many severall Men's Occupations, without Knowledge given thereof, soe that the Setting Booke of Recordes are in Effect made void, by reason that the same Men, whose Names are of Record in the said Bookes, do not occupy the same Lands: It is likewise ordered in the said Court, by the said Councell, that no Person or Persons whatsoever within the said Isle shall, after the said Court holden this present Day above specified, give, grant, bargain, sett, sell, or exchange any Part or Parcel of the Farn, Land, Cottages, Intackes, or Milnes, to any Person or Persons whatsoever within the said Isle, without the especiall Lycence of the Lord or his Councell in the said Isle for the Time being, or three of them at the least, whereof the Lieutenant Capitaine or Deputy to be one, and the Receiver and Comptroller to be the other two, the said Lycence to be made by the Clerk of the Rolls, and given under the Hand of the said Councell, or the said three of them above specified, upon Pain of Forfeiture to the Use of the Lord, by and of either of the said Parties soe buying, selling, giving, granting, chaping, or exchanging together any of the said Premises, the several Sums of iijl. of good and lawfull Money of England, to be

Lands not to  
be alienated  
without  
licence.

levied upon their several Goodes and Tenements without Intermission, and the Bargain to be void between the said Parties, notwithstanding the said Forfeiture. In Witness whereof, for better ratifying of the said Orders, we the said Councill present at the said Court have sett our Hands the Day and Year abovesaid.<sup>1</sup>

Fine for  
disobedience.  
Sale void.

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From Exchequer Book,

1586. Nos. 3, 23, and 25.

After my verie hearty Commedations ; Where one Edwardson of that my Isle hath, as I am informed, found certain Gold hidden, which by the antient Lawes of that my Isle by my Prerogative of Right appertaineth unto me, as within the Compass of a few Yeares hath in Triall upon such a like Accident fallen out ; forasmuch as I doubt not but your Care and Circumspection touching such like Causes as these will answer the Trust I repose in you, yet least by any vain Surmise or sinister Suggestion my Inheritance and Prerogative might be in this Case hindered and lightly regarded, I have therefore thought good to require you effectually, and with all careful Dilligence, to observe the Circumstances here anends, and thereupon to relate and at large impart your Proceedings to the 24 Keyes of that my Isle, to whose Judgment, upon their Oathes, my Pleasure is this Matter be referred ; and whatsoever they sett down, I am well pleased withall ; herein I pray you use such carefull Regard as is expedient ; for as my full Meaning is neither to have or demand more than by Law and good Conscience is mine own, soe may I not do myself and mine Heires that Wrong, as lightly and through Negligence to see my Prerogative impaired : And soe do bid you heartily farewell.

Treasure
Trove.

Keys to en-
quire.

*New Parke, my House,
this 28th October, 1585.*

Your assured loving Master,
HENRY DERBY.

To my well-beloved Nephew Richard Sherburne, Esquire,
Captain of my Isle of Mann ;
To my Receiver, Comptroller, Water Bayliffe, Deemster,
and to the rest of my Chief Officers there.

According to the Tenor of which said Letter, we have, the 15th Day of December in the Yeare aforesaid, called together the two Deemsters, viz. John Lucas and Thomas

¹ Repealed by Act of 1645 and by Act of Settlement of 1704.

Samsbury, and the xxiiij Keyes, whose Names hereafter follow; and as well have imparted and related unto them the said Letter, as also our Proceedings therein; which said xxiiij Keyes are, viz.

Giles Cross,	John Quayle,	} <i>Jur.</i>
Gilbert Caloe,	Don. Kermode,	
Thomas Cross,	Nich. Moore,	
John M'Nele,	William Hutchen,	
Thomas Woods,	Robert Moor,	
William Gawne,	John Clark,	
Patrick Clarke,	Ranold Lucas,	
Don. Christian,	John Stevenson,	
William Lucas,	John Norris,	
William Kissage,	Henry Calcotts,	
Ewan Christian,	John M'Aloe,	
Phill. Moore,	William Radcliffe,	

Treasure
Trove the
Lord's.

1. By the Advise and Consent of the two Deemsters, as well upon Examination of the said Thomas Edwardson, as also upon good and deliberate Consideration, do say upon their Oathes in these Words: John Lucas and Thomas Samsbury, Deemsters of this Isle, with the Advise and Consent of the xxiiij Keyes for this present Cause assembled, do enact, and give for Law, that any Treasure whatsoever being found and secretly hidden under Ground, either within the House or without in the Fields, or in the Thatch of the House, or within any other covert Place, to the End to defraud the right Heyres, or for any other fraudulent Intent or Purpose, shall be the Lord's, as a Prerogative due unto his Lordship by the Lawes of this Isle.

Treasure hid
for safety not
to go to Lord.

2. Nevertheless be it provided, that any Man, for the Safeguard of his Goods from the Enemy, or for Fear of any other Mischance, may, without Danger of this Law, lay up his Treasure in any such Place, making either his Child, or any other Friend, privy to the same; and that any such Child or Friend may lawfully receive such Treasure soe hidden, and deliver it to the right Owner, without any Impeachment to the Lord his Prerogative, provided that the Party thus claiming be able to prove it by the Deposition of one sufficient witness at the least, though he be Brother, Sister, or any other Kinsman or Friend, not detected of any notorious Crimes. And whereas Thomas Edwardson hath confessed before Mr. Captaine, and others of my Lord his Councill, that he found the Sum of xxxiiij*l.* and upwards in the Thatch of the House, and is not able to prove it his proper Goodes by any sufficient Witness

according to the Law in this Case provided, we find the said Sum to be the Lord's by his Prerogative. Likewise the two Deemsters and xxiiij Keyes doe say in Manner and Form following ; that is to say,

3. The two Deemsters, with the Advise and Consent of the xxiiij Keyes here assembled, do enact, and give for Law, That it is not lawfull for any Overseere to sett or sell the Cottage or Farme Ground of any Infant for longer Term than during the Minority of the said Infant, that is to say, till he be xiiij Years old, except in case of Extre-metie, that is, when there is no other Goods left either to pay Debts, or bring up the said Children, and that all other Friends do refuse to bring up the same Children : In this case we find it lawfull for the Overseer to sett or sell at his Pleasure, and not otherwise.

JOHN LUCAS, *Deemster*.

THOMAS SAMSBURY.

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*From Exchequer Book, 1586.*

No. 7.

Whereas of antient Time it hath been accustomed that no Person or Persons should frequent or use shooting in a Hand Gunne, at any Manner of Fowle, or hunting or coursing the Hare, within a certain Circuit or Limitt near unto the Castle, that is to say, from the said Castle unto the Burne, called Kentraugh Burne, in the Parish of Kirk Christ Rushen, and following the said Burne up to the Feldike and following the said Feldike to the Northeastwards unto Kirk Santan Burne, and so along the said Burne unto the Sea Side, and from the Sea Side until the Castle againe ; which said Limitt or Circuit within the said three several Parishes of Kirk Malew, Kirk Christ, and Kirk Arborey, and so to Kirk Santan Burne as aforesaid, and from thence to the Castle as aforesaid, hath been called, reputed, and taken by the Name of the Lord his Warren, and that as well diverse and sundry Times heretofore by my Lord himself, as by the Councell of this Isle, Order hath been taken, that no Person or Persons should use to shoote in any Hand Gunn at Fowle, or hunt or course the Hare, within the Limit and Compass of Ground meted forth as aforesaid, upon sundry Penalties ; which Orders have not been observed, partly by reason of such presumptuous People, as nothing regarding laudable Orders set down, will voluntarily break the same, and partly upon too much Clemency and Gentleness, for not putting in Execution the said Orders, and levying strictly the Fines and Penalties for such Offenders assessed : It is therefore in this Court, holden at the said Castle the tenth Day of January Anno Prid, ordered by the full Consent of Richard Sherburne, Esquire, Captain of the said Isle, and the rest of the Lord his Councell, and the two Deemsters, then and there present, that no Person or Persons, after the said tenth Day of January, within the said Isle, of what Degree, Estate, or Condition soever he be, (the said Captain and Councell excepted,) shall shoote in his Hand Gunn or Fowling Piece, at any Manner of Fowle, or hunt or course the Hare, with any Greyhound, Bitch, Beagle, Curr, or Mungrell, willingly and wittingly, within the said Compass, Limitt, Space, and distance from the said Castle as aforesaid, upon Paine of Forfeiture to the Lord for every Time that he shooteth or hunteth in Forme aforesaid, the Sum of ijs. vjd. to be levied to the Lord his Use, upon his Goods, Lands, Tenements, Wages, or Fees, without the espetiall Lycence of the Lord, or without the espetiall Lycence or Appointment of the said Captain or Councell, or one of them, the said Captain or Councell, or one of them, lycencing or appointing any such Person soe shooting or hunting, to shoot or hunt for the Use or Pleasure of them, or any of them, only soe giving Lycence, and not for the Use and Pleasure of the Person soe shooting or hunting : And that likewise, for the better putting in Execution of the said Order, there shall be six honest and substantial Men dwelling in several Platts of the said Circuit, Limitt, and Compass, at the Discretion of the said Captain, chosen, nominated, and sworn at every Court, to

Guardians  
not to sell or  
let minor's  
property  
longer than  
minority.

Castle Game  
limit, or  
Lord's war-  
ren.

All persons  
except Cap-  
tain & Coun-  
cil prohibited  
from hunting  
or shooting  
on Lord's  
warren.

Offender's  
presented.

come in ; and that they jointly or severally, all or every one of them, by himself, shall have lawfull Authority upon their or any of their severall Oathes to present the Offenders herein, whatsoever he or they shall be, without other Exception than is as aforesaid; and that there shall be likewise four honest and substantiall Men Soldiers, who are no ordinary Shooters at Fowle, nor Hunters themselves, by the like Discretion of the Captain, chosen and sworn to make Presentment of such of the Soldiers as they shall know to shoote, or any other Person having not lawful Lycence as aforesaid; and that it shall be lawful for all and every other Person or Persons whatsoever to make true Presentment of the said Offenders, without incurring any Danger, Hurt, or Damage for the same : And if any of the forenamed Persons to be chosen as aforesaid for the presenting of the said Offenders do know any Person or Persons to offend in shooting or hunting contrary to the Contents of the Order aforesaid, and do not make Presentment of the said Offence done by the said Person at the next Court holden after the said Offence committed, and be convicted for the concealing of the said Offence, contrary to his Oath and Knowledge therein, by sufficient Testimony, he shall be punished for Perjury in such Sort as in Cases of Perjury is provided by the Lawes of this Isle. And this Order to stand till my Lord his further Pleasure be known.<sup>1</sup>

*At Lathom, the Eighteenth of February, 1593.*

A REMEMBRANCE of my Lord's Resolutions touching Causes of the Isle of Man.

1. First, I think fit to erect again my two Garrisons of the Castles of Rushen and Peele.

2. Itm. That the setting Corne of the Parish of Kirk Patrick shall be presently brought to the Castle Rushen, and not inned at the Peele, but upon spetiall Necessity.<sup>2</sup>

Custom  
Turff.

3. Itm. That the Custome Turff be allowed according to Law and Custome; that is 52 Turves of one Cubit long, and three Inches square in the midst, and those to be allowed for one able Carr within the Houses of Castle Peele; and after the Houses be sufficiently stored, that the rest might be spared to the Tennants dwelling farthest from the Houses, and they to pay for every Quarter Ground in respect of their said Custom Turves, after a reasonable Rate to be set down by his Lordship's Captain and his Officers.<sup>2</sup>

Limitation  
for entry to  
Lands 21  
years.

4. Itm. If any Person shall pretend Title to any Farme Houses or Ground within the said Isle, and do not exhibit his Bill in Writing for the same before the said Earle his Lieutenant or Captaine, and other principall Officers of the said Isle, whereby it may be entered of Record within the Space of twenty-one Years next after he or his Ancestors have been dispossed thereof, that then he or his Successors claiming after him to be utterly excluded and barred from making any Title thereunto for ever.<sup>3</sup>

<sup>1</sup> Repealed by Game Act of 1835, Sec. 1.

<sup>2</sup> Sec Act of Settlement, 1704.

<sup>3</sup> Repealed by Act of 1637, Sec. 9, but revived by Act of 1647, and extended as to persons under disabilities by Act of 1662, Sec. 6.

5. Itm. That every Tennant and Farmer, not otherwise able to discharge their Rents within the said Isle to the said Earle, shall, upon spetiall Lycence from the Captain, have Liberty to transport Corne and Graine over the Seas, so much as shall yearly amount to the Discharge of their Rents to his Lordship, they paying therefore for Custom of Transportation after the old and accustomed Rate, and no more. Tenants at liberty to export Grain.

6. Itm. That upon every Trespass committed and fineable the Captain and other the principal officers shall, before the cessing of the said fines, confer with the Deemsters touching every fine, and afterwards with their Privy proceed to the Assessment of the said Fines. Trespass.

7. Itm. Whereas it hath been of antient Time accustomed that viijs. was paid to Parsons of Churches for a Mortuary or Corsresents if the Defunct's Goods were praised to xxs. which was in respect that then a Cow was praised but to vs. a Mutton Sixpence, and soe ratably all other his Cattle; which Manner of Valuation of late Time hath been more hardly racked, to the Hinderance of discharging the Defunct's Creditors, and their Children's great Impoverishment. For remedy whereof it is ordered, that in rating the said Corsresents, the Defunct's Cattle shall be praised and valued after the said antient Rate as afore-said, and not above. Corspre-sents.

8. Itm. Whereas it hath been accustomed, that the Waterbayliff hath had Custome Boards, Planks, Oares, and other like Custom in Kind, and hath paid a small Rate for the same to his Lordship's Use: Now it is ordered by the said Earle, that the Waterbayliffe shall answer all Customes in Kind as he receiveth them, and not otherwise. Waterbay-liff's Custome.

9. Whereas heretofore it hath been a Law in the said Isle of Mann, that any Wife going from her Husband for any Crime, either Adultry, or for any other Cause, might by Force of the said Law give away the one Halfe of all such Goodes and Chattles as her Husband and she were ceised of to any Person whom pleased herself, which is thought to be against the Lawes of God and good Government of that His Honour's Isle: It is therefore ordered by his Lordship as hereafter followeth, viz. That if any Wife hereafter shall commit Adultry, and be thereof lawfully convicted before the Bishop or his lawfull Deputie, the Captain and the rest of his Lordship's Councell there, shall lose her Benefit of the said Law, and shall have no more of her Husband's Goods than shall be agreed upon there by the Bishop or his lawfull Deputie, the Captain and the Adultery.

said rest of his Lordship's Councill there, for her Maintenance, &c.

**Duty Beeves.** 10. Whereas heretofore every Quarter of Land hath been accustomed to pay every Yeare a Beefe into the Castle and Peele, which is above six Hundred Beeves a Year: It is my Desire that one Hundred of the poor Sort shall be spared every Year, at the Discretion of my Captaine and the rest of my Chief Officers, and so to pay yearly five Hundred Beeves, if the Country like well of this my Order, or els to pay as they have been accustomed heretofore, and I to be answered whether of these Wayes the Countrey will make Choice of; provided alwayes, that this shall not in any Wayes hinder or be prejudiciall, if any Occasion of Warrs, or other Cause, whereby I shall have Occasion to send more Number than my ordinary Garrison for the Defence of the said Island; but that then Provision may be according to antient Lawes of my said Island, to have what is necessary.

The Orders set down by Ferdinando, late Earle of Derby, and Lord of this Isle, is confirmed and allowed of by the Councill and 24 Keyes the Day and Year above written.

Tho. Gerrard,  
Willm. Lucas,  
Wm. Radcliff,  
John Quayle,  
Edward Ellis,  
Tho. Samsbury.<sup>1</sup>

---

<sup>1</sup> The following names of The Keys are given in one of the MS. copies, but not in the original:—

|                    |                 |                   |
|--------------------|-----------------|-------------------|
| Jno. Quayle, jun., | W. Kissage,     | Gilbert Callow,   |
| Hy. Radcliffe,     | Jno. Clarke,    | Wm. Hutchen,      |
| Wm. Harrison,      | Hewson Garrett, | Donald Christian, |
| Ph. Cross,         | Jno. Standish,  | Robt. Christian,  |
| Jno. Quayle,       | Thos. Craine,   | Tho. Quayle,      |
| Rayneld Lucas,     | Wm. Qualtrough, | Wm. Cain,         |
| Ph. Moore,         | Thos. Cross,    | Nich' Moore,      |
| Jno. Stevenson,    | Thos. Clarke,   | Robt. Moore.      |

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ORDERS,

Set down the 24th June Anno Domini 1594, by Consent of Randolph Stanley, Esquire, Captaine of the Isle of Man, and the rest of the Officers of Tinwald then holden, and there proclaimed for the good Government, common Weale, quiet Estate, and safe Keeping of the said Isle.¹

1. First, Whereas the safe Keeping of this Isle consisteth Watch & Ward. in the dutifull and carefull Observance of Watch and Ward, without which the Lord can never be well defended, nor the People live in Safety; therefore be it ordained, that all Watch and Ward be kept according to the strict Order of Law, and that none be sent thither but such as are of Discretion, and able to deserve to be carefull; and that the Night Watch shall come at Sun-setting, and not depart before the Sun-rising, and that the Day Watch shall come at the Sun-rising, and not depart before the Sun-setting.

2. Itm. That upon Warning given, every one be able Military Service. to encounter the Enemy, upon Pain of forfeiting Life, Body, and Goodes.

3. Itm. That whosoever absenteth himself from the Absence from Muster. Muster shall be punished by Fine and Imprisonment, unless he be letted with Sickness, or such like lawful Excuse.

4. Itm. That no Markettes be kept on the Lord's Day, No Markets on Lord's Day. neither for Victualls, nor any Thing else, upon Pain of Imprisonment and Fine to the Lord.

5. Itm. That noe Strangers, nor any Countreyman for Markets, &c. them, buy any Comodities of the Countrey forth of the Marketts, nor yet in the Marketts before the Markett Bell be ronge, upon Paine of Imprisonment and Fine to the Lord.

6. Itm. That all the Inhabitants within the several Provisions to be brought to Market, and exposed for Sale. Sheadings of Rushen, viz. Kirk Christ, Kirk Arborey, and Kirk Malew, and the Parishes next adjoining, viz. Kirk Santan, and Kirk Marown, and Glanfaba, viz. Kirk Patrick, and Kirk German, and the Parishes next adjoining, that is Ballaugh and Kirk Michael, doe keep the ordinary Markett Dayes appointed within those Limitts, and doe bring thither and present all such Victuall, Corne, Wares, and other Merchandize, as they have to spare or sell, upon Pain of Imprisonment and Fine to the Lord; and if they cannot sell

¹ An order in almost the same words and dated 1 Oct. 1595, is recorded in the Chancery Book, 1595, No. 17.

there, then to be at liberty to carry the same to any other Markett.

Stranger not
to buy till
country
served.

7. Itm. That no Man shall sell any Corne to the Stranger, but first they shall tender the same, or sufficient Part thereof, to the Markett, that the Countrey may be first served.¹

ARTICLES,

Delivered the 24th of June 1594, at the Tinwald then holden, to the Viccar's Generall by Randulph Stanley, Esquire, the Captaine of this Isle ; which Articles are to be enquired of at the next Consistory Court to be holden within this Isle.

Spiritual
Ordinances.

First, That they impannell in the several Sheadings Jurors to enquire into all Offences committed against the Spirituall Lawes, and the same Jurors to be chosen of such as be of the best Ability and of most Sufficiency to discharge the same well.

Itm. That they take Order the Queen's Majestic's Injunctions be read in their Churches.

Itm. That they inquire and present, if there be any in the Isle do use Witchcraft and Sorcerie.

Itm. That they inquire of and present all Adulterers, Fornicators, Blasphemers, Drunkards, and such like.

Itm. That they inquire of and present all such as carry Bells or Banners before the Dead, or pray upon the Graves of the Dead.

Itm. That they inquire of and present all such as shall keep any Markett upon the Sabboth Day, or otherwise profane the same.

Itm. That they inquire of and present if there be any Person or Persons within this Isle that refuse to come to the Church to hear Divine Service, or to receive the blessed Sacrament of the Lord's Supper.

ARTICLES AND QUESTIONS OF DOUBT,

Propounded by Randulph Stanley, Esquire, Captaine of the Isle of Man, the 24th Day of June, 1594, at the Tinwald then holden, to the two Deemsters and 24 Keys of the said Isle.

For that I have received an Oath to deale indifferently betwixt the Lord of this Isle in Matters of Justice and the

¹ Repealed by Act of 1737, Sec. 14.

People of the said Land, and do find upon Perusal of your Lawes, such Repugnance as I can resolve which of them standeth in force :

I am therefore to crave the Assistance of you the two Deemsters and 24 Keys of this Isle, ellected for the resolving all doubtfull Pointes in Law, to give me your full Resolution therein ; whereupon, God willing, I will, during the Time of my Government here, put the same in due Execution ; the which Lawes and Doubts hereafter follow, together with the Answer of the two Deemsters and 24 Keyes to the same.

I find in the Book of your Lawes delivered me by the Deemster Sansbury these two Lawes following, for Watch and Ward, in which, as there is great Repugnancie, so I desire it to be resolved whether of them remaine in force, and that the same so remained may be proclaimed and made known to the People of this [Isle]¹ to be their Law for the keeping of the said Watch and Ward.

1. First, that Watch and Ward be kept through your said Land as it ought, upon Pain of Life and Limb ; for whosoever faileth any Night in his Ward, forfeiteth a Wether to the Warden and the Warder, a second Night a Cow, the third Night Life and Limb to the Lord.

2. If any Party faile, and do not come to his Watch, and the Warden do appoint another in his Room, to forfeit according to this Statute.

3. It is ordered that all Watches and Wardes upon the Ports and Coasts of the Sea be well and duly kept ; and whosoever failes, he forfeits all his Goodes and Body at the Lord's Will.

4. The Meaning of this Statute is, that if the Party be in the Place whereat he should Watch, and then after the Watch is set doe go away before the ordinary Time without Consent of the Warden, then to forfeit Body and Goodes to my Lord.

5. Alsoe, whereas Shipmen and Chapmen might have no Lycence to pass the Land with their Goodes and Cattle to reare the Lord's Farme as they were accustomed to do, which hath been great Hindrance to the Land ; for better it were for them to thrive upon their Merchandize, than other Foreigne Merchants and Chapmen : Therefore be it ordained that every Chapman and Shipman have Lycence as oft as his Proffit serveth, to England, Ireland, and Wales, so that he warrant the Lieutenant, and have Lycence to go and know if he have any Business and Cause to the Coasts they go unto, or back again.^(2.)

6. This to stand and take Effect both for the Farmer and Merchants of the Countrey according to the Statute. When any Man maketh Suit to carry or transport any Stuff or Merchandize out of this Isle into any Foreign Parts, that the said Captaine shall consult with the rest of the Councell there once in a Week what Wares may best be

Watch &
Ward.

Watch and
Ward.

Lycence for
Dealers to go
to England.

Farmer to
have Ly-
cence.

¹ Omitted in the original copy, but inserted in later MS. copies.

² New Enactment by Act of 1645, Sec. 9.

spared for the best Comodities of the inhabitants of the said Isle, and the said Captain, with the Advice of the said Councell, shall agree upon to give Lycence; and all those Wares soe lycenced to be mentioned in a Bill, with the Quantity thereof, assigned with the Captain his Hand or his Deputy, soe that there be no Wares carryed forth but such as is lycenced, and that the same may pay Custom according to the Lawes of the Countrey; and the said Bill of Lycence to remaine with the Waterbayliff until his Accompts be at the Lord his Auditt, and there to be delivered; and if any more may be found than is lycenced, the same to be forfeited.^(1.)

7. The Captain is not to call the rest of the Counsell for the granting of Lycence without the Complaint of the Countrey for Restraint, and for the Course of Lycence to pay their Customes as they have been hitherto used.^(1.)

Bastard to
take Goods
only under
Will.

8. Also, we give for Law, that a Bastard can have no Goods, except they be given him by Will, or at the Discretion of the Ordinary upon Charity, otherwise they can have none by Law.

9. A Bastard is to have no Goodes but according to the Statute.

10. Also we give for Law, that if a Man get a Maid or young Woman with Child before Marriage, and within a Yeare or two doth marry her, if she was never slandered nor defamed with any other Man before, that Child begotten before Marriage shall have his Father's Corbe and his Farme, according to the antient Custome of this Isle.

Child born
within two
years before
Marriage
legitimate.
Garrison
regulations.

11. If a Man get a Maid or young Woman with Child, and then within a Yeare or two after doth marry her, we judge them to be legitimate by our customary Law.

12. Also, Whereas it is said, that the Porter of your Castle, your waged Yeomen within your Garrisons dwelling, should beat your Tennants when they be brought to Prison, and taketh of them more than his Fees, that ought not to be redressed before your Deemster, but before your Constable within your Garrison, in which the Fault is soe committed by our Law of Mann.

13. Porters and Soldiers are to be judged what Punishment is due for their Offences by their Constables for Matters of Household.

Imprison-
ment for
Debt.

14. Also we give for Law, that no Officer may imprison for Debt, nor any other Crime, but as the Deemster shall appoint by Law and Process.

15. Noe Officer is to imprison for Debt, except it be for my Lord and Household Causes, but as the Deemster shall appoint by Law and Process.

16. Also lastly, I desire to be resolved whether any Officer of this Land, but the Captain only, hath Power to grant forth his Token for the Arreast of any Person or Persons; and if there be any, then I desire to be resolved what Officers they are that be soe authorised, and what

¹ New Enactment by Act of 1645, Sec. 9.

Causes they may soe grant their Tokens as afforesaid, and by what Law they are warranted so to do.

17. Noe Officer is to arreast but the Captaine and Waterbayliffe; and if a Man give the Waterbayliffe a Penny to arreast any Person for Debt, if the Waterbayliffe neglect his Duty, and the Party escape, he is to pay the Person's Debts that escapeth.

Only Captain and Water-bailiff to arrest.

18. I pray you certify me, what Punishment your Lawes impose upon the Wardens of the Watch, if they do not nightly see the Watches sett at the Hours appointed.

19. If the Wardens do not their Duty according to the Captain's Directions, they are to be punished at his Discretion.

Watch & Ward.

20. Also, I pray you certify me in Writing, if those appointed to Watch neglect the same, whether their Forfeiture be due to the Wardens, unless the Wardens put others in their Steads to watch; and if the Forfeitures in that Case be not due to the Wardens, then to whom is it due?

21. There is no Forfeitures due to the Wardens, unless he appoint one in the Stead of another; all their Forfeitures are the Lord's.

22. Also, I pray you certify me in what Sort their Forfeitures are to be presented, whether by Jury in Court, or may be taken by Witnesses before myself out of Court.

Forfeitures to be presented by Jury.

23. All Forfeitures are to be presented in Court by Jury, or by sufficient Witnesses before the Captaine and the rest of the Lord's Officers, considering the most Forfeitures of Watches stand upon loosing of Body and Goodes.

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*From the Exchequer Book, 1601.*

No. 17.

24 June 1601.

Whereas Thomas Tyldaley hath as it is proved by due and lawful examinacon of Witnesses sworne, used untollerable speeches and defamacon concerning the xxiiij Keyes of the Isle, that is to say, he sayed they never did good to the Isle, and that they were buostin-belly churles.

Contempt of Keys.

Wherefore the Deputy, with consent of the rest of the Officers at the Tynwald held the xxiiijth of June, 1601, have called soe many of the xxiiij together as were then present to hear, consider, and determine thereof, who with the two Demsters and the whole Court assembled together, having deliberately and advisedly considered of the premises have enacted, established, and by proclamacon at the Tynwald have given for law and to continue for hereafter:—

That whosoever shall slander, condemn, or accuse any of the xxiiij or any Cheefe Officer within the Isle sworne to maintayne lawe and justice touching either their othes, or the State and Government, or any other scandalous speeches which might tend to

Punishment for Slandering, &c.

Keys and  
Chief  
Officers.

the defamacon of their offices and places, and be not able to prove it, shall be fyned for every tyme so offending in ten pounds and their eares to be cut of for punishment, beside. Yet for this tyme the xxiiij are contented, in hope the like offence shall not be committed hereafter, to rest satisfied with the humble submission of Thomas Tyldesley made at the Tynwuld before the whole assembly there. And soe from thenceforth this Statute and lawe to continue and stand firme and effectuell.<sup>1</sup>

Rob. Molynieux.  
Thos. Moore.  
William Lucas.  
William R——  
Jo. Halsall.  
John Quayle.  
Jho. Sansbury, Deemster.  
John Coarghie, Deemster.

*From the Exchequer Book 1610.*

Nos. 39 and 41.

*Castle Rushen, the Tenth Day of October, 1609.*

Att an Assembly of the Lieutenant and other the Officers, with the 24 called the Keyes, of the Land, for the consulting and determining of Matters concerning the State of the Land, there was these Statutes ensuing made and enacted.

The Names of the Twenty-four :

|                     |                           |
|---------------------|---------------------------|
| Henry Radcliff,     | John Christian,           |
| John Quayle,        | Ro. Christian,            |
| John Stevenson,     | John Cross,               |
| Phill. Carrett,     | N. Moor of Douglas,       |
| Cha. Moore,         | Dollin Caine,             |
| William Bridson,    | Edward Lucas,             |
| Phill. Cross,       | Phill. Moore,             |
| William Hutchin,    | Tho. Wood,                |
| William Qualtrough, | William Lassell,          |
| John Moore,         | Silvester Radcliff absent |
| William Christian,  | in Douglas, and in his    |
| William Caine,      | place has put             |
| William Tyldesley,  | Edw. Christian.           |
| William Kissack,    |                           |

Servants'  
Wages.

1. First as concerning the Wages General of Servants. It is agreed upon by the Generall Councell of the Land, with the Consent of the said 24, that every Man Servant, being a Plowman, shall have by the Yeare for his Wages xiijs. iiijd. and not above, every Driver xs. and every Horseman viijs. and not above; provided that every of these shall be reputed sufficient by the Deemsters and the Jury for Servants; and although that a Plowman or Driver be by the said Jury made and allowed for want of better, yet notwithstanding, as before specified, he must be allowed and held sufficient by the Deemsters; and for every Woman Servant according as she shall be thought to deserve by the Deemster and Jury.

<sup>1</sup> Reenacted by Act of 1647. Repealed by the Tynwald Court Procedure Act, 1876, Sec. 14.

2. Itm. That every head Taylor working by the Day shall have for his Wages, with Tradesman's Meat and Drink, *iiijd.* and not above; and every Apprentice Taylor, with Meat and Drink, *ij.* and not above; and every Taylor working for Servants shall have with Meat and Drink, *ij.* and not above; and his Apprentice *jd.* and not above; and if any refuse to work after the Rate above specified, or refuse to come, being sent for by the Farmer, (except he be in other Men's Work,) shall, upon Complaint sufficiente proved, be put to be a Servant.

3. Itm. Every Woolen Weaver shall have for every Yard of Woolen Cloth for Like. Blankett sufficiently wrought an Ob.; for every four great Hundred Breadth of Keare, Ob. Qs.; for every Yard of Medlie *ld.* Qs., being five Hundred, which is for every great Hundred a farthing.

4. Itm. That every Linen Webster shall have for every Yard of Cloath sufficiently wrought according to the old Custome after, as the Yarn shall be in Smallness or Greatness.

5. Itm. Every Walker or Fuller of Cloath shall have for every Yard of Blanket Like. Cloath sufficiently fulled an Ob. of the great Hundred; for every Yard of Keare Cloath three Farthings; every Yard of Medlie *jd.* Ob.; and every Yard of white Cloath *jd.*

6. Itm. Every Mazon, Carpenter, Shipwright, Hooper, Slater, Thatcher, thatching after the English Fashion, and Joiner, shali have the Day, with Meat and Drink, *iiijd.* and not above, being sufficient Workmen.

7. Itm. Every Blacksmith shall have for laying of every Coulter *jd.*; for making of Tradesman's every Coulter *ij.*; for making of every new Sock *ij.*; for making and laying of every Wages. Wing an Ob.

8. If any Farmer or other having Occasion to use any of the said Servants or Handicrafts Men shall give any greater Wages than before is mentioned, otherwise than upon the good Desert of his Servant, in Way of Bountie, and not by set Hyre or Wages, then every such Person so offending contrary to the true Meaning of this Statute, shall for every Time forfeit soe much to the Lord of the Land as the whole Wages or Day's Work cometh unto.<sup>1</sup>

JOHN IRELAND,

Thomas Samsbury, }  
Ewan Christian, } Deemsters.

Henry Radcliffe.  
John Stephenson.  
Charles Moore.  
John Quayle.  
Nicholas Moore.  
Edward Lucas.  
John Christian.  
William Tildisley.  
Phillip Garrett.  
William Bridson.  
John Crosse.  
Edward Christian.

Robert Christian.  
Philip Crosse.  
William Cain.  
William Christian.  
William Kissack.  
Philip Moore.  
Thomas Woodes.  
Dollin Cain.  
William Lassell.  
William Hutchin.  
John Moore.  
William Qualtrough.

9. We also find, that by the antient Lawes of this Isle the Spiritual  
Viccars General, or Officers of the Spirituall Courts, ought not to intermeddle with any Manner of Debt, or for proving of Wills, longer then for a Twelvemonth and a Day, taking Beginning from the Day of the Death of the Party, and afterwards it is to be heard and tried in the Temporall Court: And further, if any Debt be challenged in the Temporall Court to be due from any dead Person, we find it is not recoverable in Law, unless the same was within the Twelve-  
Spiritual Courts.  
Wills.  
Repealed by Statute of 1777, Chap. 1.  
See: 4

<sup>1</sup> Repealed by Statute of 1777, Chap. 1.

month and the Day claimed for in the Spirituall Court, as may appear by antient Records.<sup>1</sup>

10. For the Manner of Swearing upon the Graves of the Dead with Compurgators, we hold it not fitting nor Christian-like it should hereafter be any more used; but that such Controversies shall receive Hearing, and be tryed according to Forme of Law, by Witness or otherwise, first in the Spirituall Court within the Twelvemonth and a Day, and then in the Temporall Court as afforesaid.<sup>1</sup>

Vexatious  
Suits.

11. If any Person or Persons shall at the Common Law hereafter be troublesome to the Court, and enter frivolous Actions, and prove no Matter to have just Cause of Complaint, then we hold it requisite that such Person be fined and punished, more or less, at the Discretion of the Court.

~~~~~  
At Castletown, the Twelfth of June, 1610.

Tynwald
Day.

1. It is agreed unto by the Lieutenant, Officers, Deemsters, and twenty-four Keyes, that after Midsomer Day next noe Tynwald shall be holden in this Isle upon the Lord's Day, but as oft as the Feast of St. John Baptist shall fall upon the Sabbath, the Tinwald and the Faire then shall be kept upon the Day next following; and in like Manner all other Faires and Markets throughout the Year shall be transferred till the Munday as oft as the Fair Dayes fall out upon the Lord's Day, and this to be proclaimed at the next Tynwald.

Children of
Ecclesiastics
legitimate.

2. It is by generall Consent of the Lieutenant, Officers, Deemsters, and twenty-four Keyes of this Isle, enacted for Law, that henceforth the Children of all Ecclesiastical Persons in this Isle begotten in Marriage shall be and continue legitimate and inheritable, to all Intents and Purposes, in such Sort as Children of lay Persons be within the said Isle.

~~~~~  
*From Exchequer Book, 1610 No. 24 and 25.*

At the Place called the Chapple of St. John Baptist, the xxiiijth Day of June, Anno Domini 1610, before John Ireland, Esquire, Livetenante and Capten, William Lucas and William Raydcliff, Receavers, Thomas Sansburry and Ewan Christian, Demsters.

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<sup>1</sup> Altered by Statute of 1665, Chap. 2, Secs. 8 and 9. This clause appears also in Exchequer Book of 1609.

The Names of the 24 Keyes, who being called did all of them appear :

|                   |                     |
|-------------------|---------------------|
| Henry Radclif.    | Robert Christin.    |
| Dollin Cayne.     | John Crosse.        |
| Jo. Stevenson.    | Nich. Moore.        |
| Phillip Carrett.  | Silvester Raydclif. |
| Charles Moore.    | Phillip Moore.      |
| William Bridson.  | Edward Christin.    |
| Phillip Crosse.   | Thomas Woodes.      |
| William Hutchen.  | Thomas Whetstones.  |
| John Moore.       | Thomas Corleod.     |
| William Cayne.    | William Lassell.    |
| William Tyldsley. | William Christin.   |
| William Kissaige. | Richard Cowle.      |

1. The two Demsters and 24 Keyes afforesayd doo Herring  
affirme and avouch, that the Scowtes which ought to be Scowtes to  
provided within this Isle for the Hearing Fisshing, in their be four Tons  
Conscience and Opinions, ought evrye of them to be of the Burden.  
Burthen of ffour Tunns ; and this to be observed for Law  
hereafter.

2. The Livetenante, Demsters, Officers, and 24 Keyes Tenants to  
afforesayd, having taken the Examinacons of Fower ann- provide  
cyent Men, viz. Mallo. Caloe, Willm. Kerush, John Chris- nets.  
tin, and Willm. Corran, who perfectlie did remember the  
Hearing Ffishing in this Isle, and were themselves Fishers  
driving for Hearing in the North of England with Mancks  
Fishing Boates, doe ordeyne, appoint, and enact, for Lawe  
to be observed everye Heare after in this Isle, that all and  
everye the Tennants and Fermors within this Isle, whether  
they be Lord's Tennants or Barons Tennants, shall have  
alwayes in Redines prepared for the Hearing Fishing,  
eight Fathomes of Netts furnished with Corckes or Boyes,  
that is to say, out of everye Quarter of Ground eight  
Fathomes, conteyning three Deepings, of nyne Score  
Mashes upon the Rope.

3. Yt is therefore further ordered and enacted, That Lord's and  
everye Fermor which is not alreadie provided of Netts Baron's  
according to this Act, shall furnish themselves before Tenants to  
the Feast Day of St. James next following, being the xxvth be prepared  
of July next, upon Penaltie of a Fyne to be imposed by for Fishing.  
Discrecon on such as shall be faultie.

4. Yt it also enacted, if hereafter it be proved that any In chastity  
man and woman being contracted for marriage shall before  
carnally lye together before they be lawfully married, that marriage.  
then for their lewode carriage, for example to others, those  
persons shall forthwith be brought by the coroner to the

whipping stock in the tyme of open markett and there each of them to receive six———and to be fyned beside uppon discrecon.

*Extract of an Act of Tynwald, 1610, relative to the  
Herring Fishery.<sup>1</sup>*

Herring Fishing, and the Orders to be observed at and concerning the same, which the Water Bailiff is to see executed; and how he is to sit and call an Admiral Court for the Redressing of Trespasses at the Herring Fishing, as well as other Seafaring Affairs.

Proclamation to be made in June yearly of approaching Herring Fishing.

As the Herring Fishing is as great a Blessing as this poor Island receives, in enabling the Tennants for the better and speedier Payment of their Rents, and other Impositions, and have wherewithal to supply their other Wants and Occasions, when as all other their Endeavours and Husbandry would scarce advance any such Advantages and Gains unto them: So it hath been the incessant Care and Regard of the Government of this Isle always, when the Season of such Fishing falls out, and rather before, upon the Tynwald holden in June every Year, to make open and publick Proclamation to the whole Assembly of the Island, to remind them to be careful in providing their Boats and Netts to be in Readiness, whensoever it pleaseth God to send them that Blessing: And for the great Furtherance and Means to obtain such, it was the Care of the then Government, in the Year 1610,

Lord's Tenants to provide nets

1. That every Farmer or Tenant within this Island, whether Lord's or Baron's Tenants, should provide eight Fathoms of Netts, (when as then there was not so many that kept Boats and Netts as now), furnished with Buoys and Corks ready for Fishing, out of every Quarter of Ground, containing three Deepings of nine Score Mashers upon the Rope, to be as an Imposition upon the Tennants for the more effectual obtaining of a Blessing as aforesaid.

Not to Fish before 16th July.

2. And lest that some Persons should be too forward to fish before the Fish should well ground about the Land, and so might frighten it away, it was also provided that no

<sup>1</sup> The original hereof cannot be found in the Rolls Office. A copy of it is contained in Appendix A. of the Report of the Commissioners of 1791, No. 25, and also in the appendix to Mills' Statute Laws of the Isle of Man. The "Orders," as they are called, have always been recognised as declaratory of the Law of the Island; it is possible however that in 1610 they were not contained in an Act of Tynwald then passed, but that they were to a great extent if not altogether declaratory of the Common Law as to the Herring fishery, or a collection of declarations which had been formerly made.

Person or Persons whatsoever should attempt to shoot for the Fish till after the sixteenth of July, which then was apprehended to be the Season for such Fishing.

3. And when it pleaseth God to send this Blessing of Fish about the Isle, the Water Bailiff, upon Notice thereof, as he is termed Admiral, is to take immediate Care and Course to have all the Boats of the Island or Fleet to come to such a Place as the Fish is, to drive for the same, and to see after my Lord's Custom Fish; and that there be good Orders observed amongst them, (which he is to Redress if there be not), and to hold and observe these Courses and Orders following, viz.

4. That none shall be admitted to Fish from Saturday Morning till Sunday at Night, after Sun-set, upon Pain of Forfeiture of his Boat and Netts : Or Fish in the Day Time without special Liberty from the Officers or Water Bailiff; or that there be a great Necessity for it.

5. And no Man is to shoot his Netts till the Admiral or Vice-Admiral have first taken in their Flags, or to give a Watchword if the Night be dark, that they may know when to shoot their Netts; and whosoever is found to offend herein, forfeiteth Ten Shillings to the Lord and Twenty Days Imprisonment.

6. And whosoever shall wilfully shoot his Netts across, over the Netts of another, or shall use any Draw-Netts or Stake-Netts during the Time of the Fishing, shall forfeit Ten Shillings:

7. And if any shall cut any Buoys or Corks off any Man's Netts, or shake or take any Herrings out of the same, and it sufficiently proved, shall be proceeded against by a Jury as in the Nature of Felony.

8. And if any of the Fleet do, by God's Blessing, meet with the Scul of Fish, or get good Store thereof, and reveal not the same to the next Boat to him, that so the same might be discovered from Boat to Boat throughout the whole Fleet, to the End every of them might be Partakers of that Blessing, that every One so offending is to be fined Forty Shillings besides Imprisonment.

9. Also, that if any shall lay violent Hands upon or strike any of his Fellows, or give him uncharitable Language on Sea-board, or under the full-sea Mark, such Person to be punished by Forty Days Imprisonment, and to be fined besides, at the Water Bailiff's Discretion.

10. And if any draw Blood by violent Strokes on Sea-board, or under full-sea Mark, shall forfeit his Goods to the Lord's Pleasure.



Water Bailiff's Duty  
Fish.

11. Also, the Water Bayliff shall have out of every Boat, as oft as they Fish, a certain Measure called a Kybbon-full of Herrings; and whosoever refuseth to give the same, or Twelve Pence in Money in lieu thereof, shall be excluded from the Fleet.

Jury.

12. And that the Water Bailiff shall impanel forth Jurors of Enquiry to present all such as either contemn or break any of these Orders, or commit any other Offences or Misdemeanors in the Herring Fishing Time; and at the Admiral Court to give in these Presentments, that Fines may be imposed upon them by the Court. And that upon every Saturday, by Two o'Clock in the Afternoon, during the Fishing Time, the Water Bailiff is to sit and hold an Admiral Court, as well to inflict Punishments upon all Offenders, as to reform all Wrongs committed through the Fleet.

To hold  
Court every  
Saturday  
during Fish-  
ery.

Jurors.

13. And every Master of a Boat, and all others his Fishermen, are to attend the same Court, to serve upon Jurors or other necessary Occasions, as they shall be required unto, upon Pain of Fineing.

Transmission from  
Chancery  
Court to  
Water Bailiff's.

14. And the Water Bailiff may also, as oft as such Occasions fall out, call a Court and impanel Jurors to determine all Controversies that concern Seafaring or Maritime Affairs, betwixt Party and Party, at any other Time, in what convenient Place he pleaseth to sit, the same by Virtue of his Office, either upon the Suit of any Party, or in Pursuance of any Order, for the transmitting of any Case from Chancery, to be so determined, as most incident and proper to that Course of Determination.

An Abstract from the Statute Laws of the Isle of Man,

GEO. SAVAGE.<sup>1</sup>

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At the Tinwald Court holden the 24th of June, 1610.

Drunken-
ness.

1. It is by generall Consent as aforesaid proclaimed, that as oft as any Man or Woman shall be found drunk hereafter, the Party soe offending, if not of Ability to pay a Fine, shall for the first Time be punished in the Stocks, the second Time to be tyed to the whipping Stocks, and third Time to be whipped therein.²

Lord's
Forests.

2. Also, whereas the Forrester of this Isle is by the Lawes to have an Ob. of every Manner of Person or Persons that goeth to the Lord his Forest for Turff and Ling, and to have 1d. Ob. of all that put Swine, Horses, or Cattle to the Forrest; we therefore find it standeth with the Prerogatives of the Lord of this Isle, that any Barron's Tennants whatsoever, having the Liberty of the Forrest as aforesaid, and paying the said Fee to the Forrest, (which we upon our Oathes do find could not be otherwise due to him, but in Right of the Lord,) may have a wast Rent imposed on them lawfully by the Setting Quest.³

¹ Appointed Water Bailiff in February 1789.

² Repealed by the Licensing Act, 1876, Sec. 49.

³ Office of Forester abolished by the Isle of Man Disafforesting Act, 1860, Sec. 16.

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*From the Exchequer Book 1610 No. 45.*

ORDERS AND DUTYS,

*That the Soldiers of the Castle Rushen and Peele, within the Isle of Mann were to observe and keep in the Times of the Right Honourable Lords Edward and Henry, late Earles of Derby.*

Whereas we were injoined by the Right Worshipful John Ireland, Esquire, Lieutenant and Captain of this Isle, by Military Duty. Virtue of our Oathes, to give Notice of our Knowledges of the antient Orders and Dutyes observed by the Soldiers of the Castles of Rushen and Peele in our Times and Memories, and for that Purpose we Twelve, whose Names are subscribed, were chosen, whereof Six be sworn Soldiers at the Castle Rushen, and Six at the Castle Peele: Upon advised Consideration had, we find and know, that all the antient Orders, Customes, and Dutys to be performed in the said Castles, are extant in the Rolls, and enrolled in the Books of the Statutes of this Isle, and these which we add hereafter, are and be customarie and usual.

1. First, At the Entrance and Admittance of any Soldier to either of the said Castles the ordinary Oath was to this Oath of Allegiance. Purpose: First, our Allegiance to our Sovereign; next, our Faith, Fidelity, and Service to the Right Honourable Earles of Derby and their Heires, our Duties and Obedience to our Lieutenant, our Chief Governor, and our Constable, in all lawful Causes, and noe further.

2. Itm. It hath been accustomed, and still continued, that every Soldier, at the Sound of the Drumm or ringing of Allarum Bell, (the hearing or knowing of the same,) Mustering of Soldiers. shall forthwith make his present Appearance in the Gate of either Castle, then and there to perform what shall be enjoined them by the Lieutenant, or the Constable in his Absence.

Itm. It hath been accustomed that the Night Bell should be runge a little after the Sun-setting, and that by the Porter; and the Constable with his Deputie, with a sufficient Guard, to be in the Castle for the safe Keeping and Defence of the same. Night Bell.

3. It hath been accustomed and continued, that the Constable or his Deputy should go with the Wardens to the Castle Gates, and there cause the Porter to lock the Gates, and then the Watch to be forthwith sett. Watch.

Porters.

4. It hath been accustomed that at either Castle there hath been two standing Porters, who have, by course every other Week, held the Staff, and given attendance at the Gates during one whole Year, beginning at Michaelmas. The said Porters to be nominated by the Constable, and allowed by the Lieutennant and Governor: and two standing Watchmen in like manner, for nightly Watching upon the Walls. And every Officer, Soldier, and Servant is to do his petty Watch from May till Michaelmas.

Gates not  
to be opened  
at night.

5. It hath been accustomed that the Castle Gates should not be opened, by any Man, after locking at night (the Governor only excepted) until the Watchmen ring the Day Bell, which was to be done so soon as the Watchmen could perfectly discover the Land Marks bounded within a Mile and a Half of either Castle. Which being done, the Porter was accustomed to go about the Walls, and look that all things be clear, and forthwith to return to the Constable, or his Deputy, and affirm all things to be as the Watchman had formerly spoken to the Constable, or his Deputy.

Watch and  
Ward.

6. It hath been accustomed that the Soldiers should Ward in the Castle Gates one Day in the Week; and they of the Castle Rushen to lye within the House the Night before their warding Day: and the Soldiers of the Castle Peele to lye in the Night before and the Night after, in respect of the Tide falling out uncertainly, and for more safeguard of the Castle, being nearer our Enemies the Red Shankes.

Inner Ward  
to be closed  
at night.

7. It hath been accustomed, and still continued, that one of the Wardens of the inward Ward, at Castle Rushen, shall at Night lock the inner Gates, and keep the Keys thereof to himself till Morning, and hath performed all things therein as Constable that Night in that Ward.

Steward.

8. It hath been accustomed that the Receiver at either Castle hath, at Michaelmas, made Yearly choice of a Steward, who hath been allowed by the Lieutennant, or Captain for the Time being.

Soldiers to  
work Lord's  
hay.

9. It hath been accustomed, and still continued, that the Soldiers of either Castle hath wrought the Lord's Hay whensoever they have been thereunto called.

Gunner.

10. It hath been accustomed that Mr. Gunner of either Castle hath had allowance of an Apprentice; and either himself or his Apprentice hath every Night lyen in the said Castle.

or,  
ter  
ps.

11. Notwithstanding all these Orders, Uses, and Customes here set down, the Lieutennant, Captain, or Chief Governor for the Time, may, in his Wisdom, and according to the

necessity of the Time, set down Orders and Decrees for both Castles, in all lawfull Causes, and repeale the same again, which every inferior Officer and Soldier is to obey, by reason of his Oath.

Tho. Norris,  
Hen. Carret,  
Tho. Whetstones,  
Tho. Lea,  
Wm. Bridson,  
John Crellin,

John Gawn,  
Hugh Lamb,  
Rich. Fisher,  
Wm. Lassel,  
Edw. Lucas,  
John Colbin.

John Ireland, Lieutenant,  
William Lucas,  
William Radcliff,  
Thos. Samsbury, Deemster,  
Ewan Christian.

*At Castle Rushen, the 25th  
of July, 1610.*

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*From the Exchequer Book 1613, No. 49.*

*At the Tynwald Court, holden at the Place called St. John Baptist Chapple, the 24th Day of June, in the Yeare of our Lord God 1613, by Robt. Molyneux, Esquier, Capten Willm. and Willm. Ratclif, Receavers, Evan Christin, Deemster, and John Halsall, Clarke of the Rolles.*

*Proclaymed upon the Tynwald Hill.*

Whereas the Right Honourable Lady the Lady Elizabeth, Countesse of Derby, was trulie advertised, that because of the great Imposicon by an annceyent Statute in this Isle for payng of Custom Heyrings (called Castle Mazes) in Tyme of Heyringe Ffishinge, not onlie Strangers have refrayned to come to the late Fishinge of this Isle, but also the Islanders themselves being thereby discouraged, did not shewe their willinge Minds, nor consequentlie use their industrious Paynes in and about the Fishingc, as otherwise they would have done, being reasonable dealt withall for the said Castle Mazes. And in Regard thereof the said Countesse both honourablie tendringe the Good of the poore Inhabitants of th' Isle, and desirous to have Strangers well used, and to bringe Entercourse of Trafficke betwixt them and the Islanders, hath by her honourable Direcons in her Lettres, dated the Seventh Day of Sep- Custom Herring.

tember last past, appointed us, the Capten and Officers, to sett downe and limitt what Proporcions of Heyrings we, in our Discrecons, should meete and fittinge both for Strangers and Countrimen (notwithstandinge the Statute) to be paid for Castle Mazes during the Tyme of this next Heyring Fishinge, which we hope God, as he hath begonne, will blesse and continue amongst us.

Accordinge which Direcons we doe, upon considerate Care and advised Deliberacon, taken for the Banefitt of the L. of th' Isle, Good of the Inhabitants in general, and well Usage of Strangers, order and appoint to be payd as followeth, that is to say,

Two Maze of  
best Fish  
from each  
small Boate.

1. Out of every small Boate, whereof a Countriman is Owner, to be paid in Lieu of Custome Heyrings for all the Tyme of this next Fishinge, to the L. two Maze of the best Fish, whensoever a Publick Call for payment and Delivrye thereof shall be given throughout the Fleete of Boates, by Direcons from both the Receavers, or either of them (whose specall Charge it is to husband those and the like Provisions) with the Ayd and Assistance of the Water Bailiff, who is Admirall for Redresse of Faults and punishing of Offenders at the Fisshinge; and those Boates to bringe the said Custome Heyrings, and deliver them: That is to say, such as Fish from and betwixt St. Maughal Head and Douglas, to deliver them at Douglas—such as Fish between Douglas and the Calf of Manne, to deliver them at Castletowne—and such as Fish on the North Parte of the Isle to deliver them at Peeletowne.

Four Maze  
from  
Scowtes.

2. And evrye of the Countrimen which have Boates, called Scowtes, to pay in the same Manner fower Mazes for all their Custome during the Tyme of Fisshinge.

Stranger's  
small Boate  
one Maze  
first Night,  
&c.

3. And out of evrye small Boate of the Stranger shall be payd and brought as afforesaid, one Maze for the first Night that the same Boate taketh any Heyrings; and soe ever afterwards one Maze Weeklie while it continueth at the Fisshinge.

Two Maze  
for Scowte,  
&c.

4. And in like Manner shall be paid out of every Scowte of the Stranger two Maze the first Night and then two Maze Weeklie during the Fisshinge.

Fine of £5  
for Default.

5. And for that there shall be noe Omission of receivinge the Dues of thees Customes, as is before limited, we doe order and appoint, that uppon Payne of Fyve Pounds Fyne to the L. everye Inhabitante that shall have a Boate or Scowte at the sayd Fisshinge, shall, before he put forth the same to fish enter his name with the Clarke of the Rolles in his Booke.

6. And likewise that everye Stranger to the same End before he Fish for Heyrings, shall enter his Name for his Scowte or Boate, uppon Payne of forfeitinge of all his Fish to be taken. Boats to be entered with Clerk of Rolls.

7. The Tyme appointed to begin to drive for Hearing this present Yeare, is, by generall Consent, to be upon the xvijth Day of July next, being Fryday. Fishing to commenee 16 July.

A.D. 1628. *From the Exchequer Book 1628.*

July 22nd 1628<sup>1</sup>.

Yt is ordered and enacted with generall consent of the Captain Demsters officers and 24 keyes of the isle.

1. That the measures wherewith corn or salt are commonly bought or sold throughout the country be reformed to a certaintie; that is to say, two ferletts strike measure to containe Bristall band barrell of xxxij. gallons; that is to say, the ferlett xvi. gallons wherewith all sorts of grain shall be bought and sold by strick.

2. And that noe person or persons shall after the feast of St. Michael the archangel next ensuing keep any other measure to sell corne or salt, with but by the s<sup>d</sup> reformed measures which first shall be made upon the Lord's charge viz. a measure to be sent to be kept in every market town within the isle.

3. And that if any man be desirous to have a measure in his own custodie and be at the charge of making change, that man shall pay one penny to the person which shall be put in measure in each town for comparing the same with the lords and for sealing the same.

4. In like manner every one that shall send any corne and will have the same measured by him that keepeth the Lord's measure shall pay a pint of each graine for every two measures or ferlett measured by him. And out of the said measures lesser measures to be made and sealed proporcionally.

Ed. Christian.  
Ewan. Christian.  
Henry Ratclyff.  
Ed. Fletcher.  
Jo. Halsall.  
Geo. Squyres.

Measures for  
corn and salt  
reformed.

Ferlet 16  
gallons.

Standard  
measures to  
be kept in  
each town.

Fee for hav-  
ing private  
measures  
certified.

Payment for  
use of stan-  
dard meas-  
ures.

*From the Exchequer Book 1630, No. 15.*

*At Castletown, Acted the 4th June 1629.*

*At the Tinwald holden the 24th of June 1629.*

As in every well governed Commonwealth, wholesome Statutes, Orders, and Laws answerable to the Times, are usually invented, prepared, and enacted, for prevention and avoiding of such present and future annoyances, inconveniences, and losses, as the Magistrates find the Members thereof to be subject unto and to suffer; so the Government of the Inhabitants of this Isle being exemplary of ancient Customes, guided and provided for by the like

<sup>1</sup> See Act of 1645, Secs. 4 and 5. Repealed by Statute of 1777, Chap. 10.

Ordinances ; we therefore Edward Christian Esquire, Lieutenant and Capten of this Isle Ewan Christian and Henry Radcliffe Deemsters Ed.— Receiver and John Halsall comptroller, together with the 24 keys of the Isle, that is to say,

|                    |                    |
|--------------------|--------------------|
| Robert Quail,      | Thomas Qualtrough, |
| George Stanley,    | Philip Moore,      |
| Thomas Quayle,     | William Bridson,   |
| Phillip Carrett,   | John Cain,         |
| John Christian,    | Thomas Crellin,    |
| William Kysaige,   | Thomas Corleott,   |
| Edmund Gill,       | William Hutchen,   |
| John Curghie,      | Silvester Tubman,  |
| Henry Calcott,     | Robert Clarke,     |
| Silvester Ratclif, | William Clarke,    |
| Thomas Hudleston,  | William Standish,  |
| Robert Lucas,      | David Christian.   |

having advisedly observed and considered the manifold Misdemeanors and evil Accions comitted in these Times by Mallefactors, to the Ruin and Distruction of the Commonwealth, doe for Remedy thereof ordaine, enact, and publish, to be executed for Law henceforth, as followeth :

Sheep steal-  
ing, &c.  
Felony.

1. First, That whensoever any Thief shall be found to steal either Mutton, Sheep, Lamb, Goate, Kidd, Swine, or Pigg, the same shall not be priced by the Jury of Indictment, (as hath been accustomed,) who sometimes valued such stolen Goods under the Worth of vjd. Ob. thereby out of a foolish, petty, and partiall Regard, to extenuate the Rigor of Law in favour of the Malefactors, but that every Sheep, Mutton, or Lamb, of what Age or Worth soever it be, being stollen, hereafter shall be found to be Fellony in the Offender to Death, *ipso facto*, upon the Inquisition taken, without valuing or distinguishing the Price.<sup>1</sup>

Bees.

2. Also, that the stealing and cutting of Bee-hives in Gardens shall be Fellony in like Manner to Death, without valuing the same.<sup>2</sup>

Turf, &c.

3. Also, whereas heretofore such as have stolen Turff, Ling, Gorse, robbed Gardens, clipped other Men's Sheep, stollen Corn and Hay out of Fields and Haggards, stollen Geese, Hens, Ducks, or comitted such like Pillfereys and Fellony, have all of them been connvyed at, and slightly let pass : Be it therefore ordained, that all such Manner of Theft, if it amount to the Value of Sixpence Ob. shall be Fellony to Death in the Offender, and under the Value to be whipped, or set upon a Wooden Horse ordained for such Offenders at the Discretion of the Captaine : And it is provided least the simple Jurors, who, in such Cases, may be doubted, will not enter into due Consideration of such Fellony, and esteem to their full Worthe : Therefore every Coroner, soe often as Cases for Inquirey of these Fellonys happen to fall out, shall choose and impannell of the most sufficient Men in the Parishes to be the Jurors ; and if any refuse or be disobedient, the Coroner forthwith, using no Delays, to present them, that they may be fined, not troubling any of the xxiiij Keyes in these Services, unless they be specially commanded thereunto by the Captain.<sup>3</sup>

Stealing to  
value of 6d.  
Felony.

Cutting  
Trees.

4. Also, if any Person hereafter shall cut Trees, Plaints of Trees, or Quicksetts, upon any Mau's Tennement or rented Ground, he shall pay xs. Fine, without Mitigacion, to the Lord's Use, being of Abillity, otherwise to be whipped throughout all the Market Towns of the Isle.<sup>3</sup>

<sup>1</sup> Repealed by Act of 1832, Sec. 2. See also Criminal Code, 1872.

<sup>2</sup> Repealed by Act of 1817, Sec. 27. See also Criminal Code, 1872.

<sup>3</sup> Repealed by Statute of 1753, Chap. 8, Secs. 2 and 3.

5. Also, whosoever shall be found or detected to pull Horse Tayles, shall be punished upon the Wooden Horse, thereon to continue for the Space of two Hours, and to be whipped naked from the Waist upwards. Pulling Horses' Tails.

6. Alsoe, that Children entering upon their Goods and Livings at xiiij Yeares of Age shall not be at Liberty to make Sail or dispose of the same, unless they be enforced thereunto through Necessity, (before they attaine to the Age of xxj Years,) and that made known to the Captaine and the rest of the Officers. Minors not to sell Goods.

7. Also, that the antient Statute Law for continuing of Coroners in Office more than one Year shall be revived and put in Execution, to avoid many Inconveniencies and Wrongs that otherwise might redounde as well to the Lord as to the Inhabitants of the Isle. Coroners not to be in office more than one year.

8. Also, that noe Cotterells nor Artificers shall be lyable to pay any Corbes, but that they shall be all devideable and bequeathable as other Goods are: And that from Farmers noe Blankett, called the Sunday Blankett, shall be taken for Corbes, neither shall they be payable for the rest of the Corbes, but to their own Children, and to such as by Right the Farme shall descend unto for the Maintenance thereof. Corbes.

These Laws and Statutes I do ratifie and confirm. Witness my hand this 21 August 1629, at Lathom,

STRANGE.

#### ORDERS MADE AND DIRECTIONS

*Given concerning the Isle of Mann, by the Right Honourable James Lord Strange, Lord of that Island, the 20th Day of November, Anno Domini 1636.<sup>1</sup>*

1. Forasmuch as greivous Complaints is made to the Sovereign Liege Lord of this Island by his Honour's poor Tennants, Inhabitants in that Island, that they are greatly oppressed and impoverished by selling away the Corn in Winter to the richer Soart, that ingross and export the same, and make excessive Gaines out of the poor Men's Estates, which Sayles in Winter they are so inforced unto, not being otherwise able to pay their Michaelmas and Christmas Rents then due to his Lordship: His Honour having seriously taken the same into Consideracion, and commiserating the Estates of his poor Tenants, with Desire to enable them and their Welfare, is hereby graciously pleased to declare, order, and direct, that such of his poor Tennants in the Island as want Money to pay for their Rents at Michaelmas and Christmas in any Yeare, shall and may attend his Honour's Officers, viz. the Captain or Deputy, and the Comptroller and Receiver, or any two of them, whereof the Captain or Deputy to be one, and in lieu of their Rents then due, to compound with them to deliver into the Lord's Garrisons in the Island, at or before the first Day of March then next following, such Quantity of Corn and Grain as the said Tennants, severally and respectively, can agree with the said Officers, or any two of them; to the End that at the said first Day of March then next

Power to Lord's Officers to receive rent in Grain from poor Tennants.

<sup>1</sup> Spent.



ensueing, the Captain and Officers of the said Island may consult and consider of the Plenty or Scarcity of Corne ; and if it may then be spared, the same may be spared, the same may be exported, and the Lord's Rents satisfied, with reasonable Recompence for the Forbearance and Charges ; or otherwise, that it may be sold back to the poor Tennants and others that want, at reasonable Rates, without soe great Loss and Oppression to the poore Tennants as now is complained of to befall them, by having engrossed in rich Men's Hands, as of late it hath been used, who had little or no Compassion of their Poverties. This Declaration or Direction to continue only during the Lord's good Pleasure.

Coroners and  
Moares  
Stipend.

2. Itm. Whereas the Coroner and Moares of the said Island have formerly, by the Lawes and Customes there, accompted yearly before the Comptroller of their Endeavours and Services done to the Lord, and have at the Debett Day had Recompence allowed them by the Comptroller, according to their Endeavours and Paines taken for the Lord's Service ; and whereas now of late, upon Suite made to his Lordship, his Honour was pleased to allow them Stipend certain for two Years last past : Now forasmuch as his Honour, by Experience and by Advice of his Officers and Councill of that Island, findeth less Service done unto him, and less Care for his Lordship's Profitts, by the said Coroners and Moares taken since their Stipend made certain, his Lordship doth therefore declare, order, and direct, that for the Year next ensuing, and soe henceforth, no Stipend certain shall be paid unto them, but that they shall duly Accompt of the Collections and Services done for the Lord in their severall Offices as formally was used, and that they have Recompence and Allowances according to their Endeavours and Services done, as in former Times.

Deemsters  
Salary.

3. Itm. Whereas the Deemsters of that Island have formerly had, as standing Fees for Execution of their Offices, from the Lord, either of them, the Sum of vijl. xs. yearly, and have also Imunity and Freedom from Payments and Customes for their Lands which they hold in the Island ; which Fees and Immunities of Customes were lately, upon Suite made by the said Deemsters, altered and exchanged, and in Liew thereof the Stipend of xiiijl. vjs. iiijd. a-piese, or thereabouts, allowed by the Lord to his Deemsters during his Pleasure : Now forasmuch as the Lord, by Advice of his Councill of that Island, findeth this Alteration and Exchange Inconvenient, and a Disadvantage to the Lord sometimes, as when the Deemsters hold so little Land as that the gaining of their Customes will not countervaille the Increase of their Stipends, and sometimes inconvenient to the Deemsters, when they hold so much Land as that the Customes will in Value exceed their Increase of Stipend ; and for that also, sometimes the Deemsters take their Increase of Stipend, and yet still hold their Land without paying Customes : Now his Lordship therefore now thinketh good, and soe doth declare, order, and direct, that henceforth the Deemsters have paid by his Lordship their antient Fee of vijl. xs. a-piece yearly, and Imunity of their Lands as formerly hath been used, and that the Increase of Stipend be suspended untill his Honour give further Order to the contrary.

Lord's  
Money  
Chest.

4. Itm. Whereas by the antient Custome of that Island, the Receiver hath, at the End of every Quarter of the Yeare, made his Accompt before the Capitaine and Comptroller of all Moneys received for the Lord's Use, and paid in the Moneys by him received ; all which Moneys by him received were put in Safety in a Chest in one of the Lord's Houses, and severall Keyes kept by the Receiver and Officers there ; which good Custome hath of late been neglected.

Receiver to  
account  
quarterly.

It is now the Lord's Pleasure, and his Lordship doth declare, order, and direct, that the Capitaine and Comptroller shall, in every Quarter of the Yeare henceforth, call the Receiver to Accompt as in former Times was used ; and that the Receiver shall every Quarter, upon reasonable Warning, attend the Officers and make his Accompt, and bring such Moneys of the Lord's as he hath in his Hands, and put the same into a Chest in one of the Lord's Houses, under several Lockes and Keyes, whereof the Receiver to have one, and the other Officers other Keyes, as formerly hath been used, upon Paine of the Lord's Displeasure, and the Loss of his or their Places, to such Officer or Receiver as shall neglect his or their Duty, and his Lordship's Direction in this Behalfe.

Brest Lawes.

Deemsters  
to certify  
them in  
writing.

5. Itm. Whereas the Lord is informed that the Deemsters of the Island do sometimes give Judgment by Lawes unknown to his Lordship, or any other of his Councill of that Island, called Brest Lawes : his Honour therefore declareth his Pleasure, and doth order and direct, that the said Deemsters do, upon Notice of this his Honour's Order, sett down in Writing, and certify to his Honour by the next Passage after, which Lawes these Brest Lawes are, and of what Use, in what cases they are requisite, and how far their Power and the Execution of them extend ; and in particular to certify, whether the same be used in all Cases, that is to say, Criminal for Punishment of Offenders, and Civil for Decision of Rights of Lands and Goodes, or in which of them, in what Cases are any of them ; whether by such Lawes final definitive Sentences, Orders or Judgments are given, whereby the Causes are absolutely and finally determined, or but interlocutorie Orders before the final Decree or Judgment ; whether Judgments or Orders made by such Lawes be subject to any Appeale or higher Judgment, or do extend to Matters of any Value whatsoever, or be restrained to some

certain Values ; whether the same are to be pronounced in open Court, or may be done privately out of any Court or Session ; and whether by the Opinion of one Deemster alone, or with what Assistance ; what Entree or Remembrances is made of such Orders or Judgment, and how it may appeare that the same is not repugnant to the known Lawes and Customes of the Island, or one Brest Law contrary to another ; and how the People may take notice thereof, to frame their Accompts and Contracts accordingly.

6. Item, Forasmuch as the Lord conceiveth that all the Mulcture, Toll and Soken of all Corn and Graine ground within the Island, belongeth to his Lordship, for grinding of which his Lordship and his Ancestors have had ancient Milns in that Island ; and is now informed, that many of his Honour's ancient Milns are in ruin, and go to decay, by negligence of his Tennants, and that new Milns are lately built by Tennants, upon their Copyhold, or Customary Lands there, for which they pay no Fines, and but little or no increase of Rent to the Lord. His Lordship's pleasure therefore is, and his Honour doth declare, order, and direct, that the Captaine, or his Deputy, and others his Lordship's Officers of his Counsell, in that Island, and his Lordship's Attorney-General, or some three of them, whereof of the Captain, or his Deputy, to be one, to inquire, by Inquisition upon Oath, View, Survey, Perambulation, and by all other good ways and means, as to them shall seem fit, according to the Laws and Customes of the Island, what ancient Milns of the Lord's have, in time of memory, been decayed and let down ; and also what new Milns have, within like time of memory, been erected upon any Copyhold, Customary, or Waste Land, for which the Lord hath not had any Fine, or valuable increase of Rent ; and in case any increase of Rent be, what it is, and how long since, and by whom it was assessed and increased, and what Mulcture, Toll, or Soken is drawn from the Lord by those late erected Milns, which yield little or no profit to the Lord, and that they certify his Honour the Particulars, and their proceedings therein, with what convenient Speed they can, to the End that Order may be given for re-edifying of the Lord's Milns, and demolishing of the said late erected Milns ; and thereby his Lordship's Prerogative and his Profit of Mulcture and Toll may be preserved.

Mulcture and Toll.

Milns.

7. Itm. Forasmuch as the Execution of Justice, and Punishment of Offenders, have of late been much delayed by unnecessary Appeals made from the Ecclesiastical Courts in that Island, sometimes to the Lord of the Island, and sometimes to the Lieutenant or Captaine of the Island, or his Deputie, and to the Temporall Judges and 24 Keys ; for Reformation of which Delays hereafter, and for Quietness and avoiding of Differences between the Ecclesiasticall and Temporall Courts within that Island, the Lord is honourably pleased, and so doth declare, direct, and appoint, that noe Appeale shall hereafter be made from the Ecclesiasticall Courts to the Lieutenant, or to the Captain or his Deputy, or to the Judges or 24 Keys, or any of them, for any Cause depending or determined in the Ecclesiastical Courts, which do meerly concern Government of the Church, Excommunications, Suspensions, Incests, Adultry, Fornication, Prophainacion of God's Name, and Prophainacion of the Sabbath, Cursing, Probatt of Wills and Testaments, granting of Administration, granting Tuition of Infants Goodes, or merely sustracting of Tythes, or for, or concerning the Defamations determinable or punishable by the Ecclesiasticall Lawes : Let these Proceedings be no Ways prejudiciall to the Priviledges formerly enjoyed by the Soldiers there under the Captaine in Garrison. These directions to endure until his Lordship hath further considered of the Consequence of this Business, and do give further Orders therein.

Appeals.

Decrees on Church Government, Wills, Infants, &c. not appealable to Government Courts.

8. And his Lordship's further Pleasure is, and so doth order and direct, that all the before mentioned Orders and Directions shall forthwith, upon Receipt of them, be enrolled and entered in the Records of that Island where the Lord's Orders are, and have been usually recorded ; and that the same may be duly kept and observed by all Persons whom they may concerne, upon Paine of his Lordship's Displeasure, and such further Penalties and Punishments as are due to Contemners of his Honour's Commands there, any former Orders or Directions to the contrary notwithstanding.

9. Item. His Lordship doth direct, that the Captaine, Deemsters, and other Officers that have Custody of the Records of that Island, shall forthwith, in short time, send over to his Lordship Copies of all the Lawes, Orders, and Ordinances, made for the good Government of the Island and the Inhabitants thereof since the Decease of Ferdinando, late Earl of Derby, and Lord of that Island.

In Testimony whereof the Lord hath subscribed this with his Hand, and affixed his Seale the Day and Yeare first above written,

JAMES STRANGE.

*At a Court of Tynwald,*

*Holden in the Isle of Mann, the 24th Day of June, in the Yeare of our Lord God 1637, it was Enacted, Established, and Confirmed, by the Sovereign Liege Lord of the Island, James, Lord Strange, and by the Barons, 24 Keyes, Commons, and Inhabitants of the said Island, assembled at this Court, as followeth : viz.*

Forestallers  
and Re-  
grators.

1. Imprimis, Forasmuch as great Complaints are made to the Lord by the Commons and poor Sort of Inhabitants of the Island, that they are much impoverished by Engrossers, Forestallers, and Regrators ; be it enacted, established, and confirmed by Authority of this Court, that noe Person or Persons within the said Island shall by himself, or by his Servants or Agents, by way of Engrossing, Forestalling, or Regrating, buy any Corne or Graine, or other Merchandize or Provision, to sell the same againe, upon Paine to forfeit the Goodes soe bought, or the Value thereof, to the Lord of the Island.

Provisions to  
be brought to  
market.

2. *And be it further Enacted, Established, and Confirmed, by the like Authority, that all such Person and Persons, inhabiting in the said Island as shall have any Corne, Graine, or other Victuals, or Merchandize, to sell, shall bring the same to some Markett Town, to be sold in open Market, upon Paine of*<sup>1</sup>

Provisions  
not to be  
exported  
without  
Licence.

3. And if any Person or Persons by themselves, or by their Servants or Agents, engross and buy out of Markett in private Houses or Places, any Corne, Graine, Cattle, Provision, or other Goods, and sell the same againe, or export any Corne or Graine, or other Merchandize or Provision, out of the Island, without Consent and Lycence of the Lord, or of his Lieutennant or his Deputie for the Time, he or they to forfeit the Goods or Cattle so engrossed or exported, or the Value thereof, to the Lord of the Island, any Law, Custome, or Ordinance heretofore had, made, or used, or other Matter or Thing whatsoever, to the contrary in anywise notwithstanding. And to the Intent it may be known what is a Forestaller, Regrator, and Ingrosser, be it hereby declared and published, That whatsoever Person or Persons shall buy, or cause to be bought, any Merchandize, Victuall, or other Things coming by Land or Water towards

Forestaller  
and Re-  
grator.

<sup>1</sup> The following note appears in the margin of the original :—

“ This Clause is excepted ; for by former Orders it is sufficiently provided that the Governor may at Pleasure, as Occasion shall require, enjoin every Man to bring his Commodities to supply the Marketts.”

any Faire or Markett, to be sold in the same ; or coming towards any Town, Village, Part, Haven, Creeke, or Roade of the said Island, from any Psrt beyond the Sea, to be sold, or make any Bargaine, Contract, or Promise, for the having or buying of the same, or any Part thereof, soe coming as aforesaid, before the same Merchandize, Victuall, or other Thing shall be in the Markett, Faire, Town, Village, Port, Haven, Creeke, or Roade, ready to be sold, or shall make any Motion by Word, Letter, Message, or otherwise, to any Person or Persons for the inhanceing of the Price or deere Selling of any of the Things abovementioned, or else diswade, move, or stir any Person coming to the Markett or Fair, to forbear to bring any of the Things abovementioned to any Fair or Markett, Town, Port, Haven, or Creek, to be sold as aforesaid, shall be adjudged a Forestaller.

4. Whatsoever Person or Persons shall by any Means **Regrating.** regrate, obtaine, or get into his or their Hands or Possession, in any Fair or Markett, any Corne, *Wine, Fish, Butter, Cheese, Candles, Tallow, Sheep, Lambs, Calves, Swine, Pigs, Geese, Capons, Hens, Chickens, Pidgeons, Conneys, or other dead Victuall whatsoever*,<sup>1</sup> that shall be brought to any Faire or Markett within the said Island to be sold, and do sell the same againe in any Faire or Markett, holden or kept in the same Place, or in any other Fair or Markett within four Miles thereof, shall be accompted, reputed, and taken for a Regrator or Regrators.

5. Whatsoever Person or Persons that shall ingross or **Ingrossing.** get into his or their Hands, by Buying, Contract, or Promise taken, (other than by Demise, Grant, or Lease of Land, or Tith,) any Corne growing in the Fields, or any other Corne or Graine, Butter, Cheese, Fish, or other dead Victuall whatsoever, within the said Island, to the Intent to sell the same againe, shall be reputed and taken an unlawful Ingrosser or Ingrossers.

6. Itm. That all Weights and Measures which are kept in the said Island to buy or **Weights and Measures.** sell by, shall all be brought to the Comptroller for the Lord there, and made to agree with the Assize of the Lord's Weights and Measures, and then sealed by the said Comptroller or his Deputy, and to pay for the Tryall and Sealing of every Weight and Measure to the said Comptroller or his Deputy, the Fee of a *jd.* only ; and if any Person or Persons have or use in his House, or elsewhere, after the Feast Day of all Saints next, any Weight or Measure to buy or sell by the same, and the same being not sealed and allowed as aforesaid, shall forfeit to the Lord *lxs.*<sup>2</sup>

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<sup>1</sup> There is a dash in the MS. Statute Book, under the words here inserted in *italic* ; and in the Margin the following information :—"Note, that all these Orders under drawn, are excepted against, and conceived not necessary to be in this Island so generally observed in this case."

<sup>2</sup> Repealed by Statute of 1777, Chap. 10.

Exportation  
of Provender.

7. Itm. Forasmuch as it is the Complaint of the Commons and poor Sort of Inhabitants, that they are much impoverished by having Corne and Graine, Cattle, and other Provisions, exported out of the Island, without Consideration what may be necessary to be reserved for the Sustentacion of the Inhabitants of the Island, be it enacted, That no Person or Persons shall, after this present Day of June, export or load into any Boate, Barque, or other Vessell, any Corne or Graine, or any Cattle, or other Goods or Merchandize, to. be exported out of the said Island, unless such Person or Persons do first obtaine Lycence under the Hand of the Lord, or his Lieutenant or Captaine of the said Isle, or his Deputy, soe to do, upon Pain to forfeit the Goods soe loaden to the Lord, and upon Paine to forfeit to the Lord the Value of such Goods as shall be conveyed and exported away without Lycence as afforesaid.

Wine, Ale,  
and Spirit  
Licence.

8. Itm. It is enacted by Authority as afforesaid, that no Person or Persons shall from henceforth sell any Wine, Ale, or Beere in that Island, but such a competent Number as shall be appointed and thought fitt by the Lord, and in his Absence by the Captain or his Deputy, and by the Comptroller, Deemster, and Waterbayliffe, or by some three of them, whereof the Captain or his Deputy to be one ; and that none soe appointed or thought fitt shall sell any Wine, Beere, or Ale, except he or they first obtaine a Lycence soe to doe, under the Hand of the Captaine or his Deputy for the Time being ; and that every Person soe appointed shall, before he obtaine such Lycence, enter into Recognizance with a sufficient Surety to the Lord's Use in the Sum of lxs. with Condition to observe good Orders in his House, and to keep the Assize respective to the Prices of Corne ; which Orders and Assize is to be agreed upon and set downe by the Captaine or his Deputy, Comptroller, Receiver, Waterbayliffe, and Attorney, or any three of them, whereof the Captaine or his Deputy to be one. Noe Lycence to be made to continue in force above one Yeaere ; and noe Fee to be taken for any Lycence above the Sum of iij*d*. and for the Recognizance only a Fee of ij*d*.<sup>1</sup>

Lycence to  
expire at  
Year's end.  
Limitation  
for Actions  
real.

9. And for the quieting of Men's Estates and avoiding of Suits, be it enacted, That all Accions, or Plaints in Nature of Accions, Suites, Questions, Rights, Titles, Claimes, and Demands, at any Time hereafter to be sued and brought of or for any Lands, Tenements, Farmes, or Hereditaments, whereunto any Person or Persons now hath any Titles, or cause to have or pursue any such Accions, Suites, Questions, Rights, Titles, Claimes, and Demands, shall be sued and taken within five Yeares next after the making of this Law ; and that after the said five Yeares are expired noe such Person or Persons, or any of their Heirs, shall have, question, or maintaine any such Plaint, Suite, Right, Title, Claim, or Demand, of or for any of the said Lands, Farmes, Tenements, and Hereditaments, in anywise ; and that all Plaints, Suites, Questions, Rights, Titles, Claimes, and Demands, of or for any Farmes, Lands, Tenements, and Hereditaments whatsoever, at any Time hereafter to be sued or brought by Occasion or Means of any Title or Cause hereafter happening, shall be sued and taken within tenn Yeares next after the Title and Cause of Claime, Accion, or Plaint in Nature of Accion, and Demand first happening, descended, comen, or fallen, and at noe Time after the tenn Yeares ; and that noe Person or Persons that now hath any Right or Title of Entry into any Lands, Farmes, Tenements, or Hereditaments, now detained or held from him or them, shall thereunto enter, but within five Yeares next after the making of this Law, or within tenn Yeares next after any other Title of Entry accrewed ; and that noe Person or Persons shall *not* at any Time hereafter make any Entry into any Farme, Land, Tenements, and Hereditaments, but within tenn Yeares next after his or their Title, which shall hereafter first descend or accrew to the same ; and in Default thereof, such Persons soe not entering, and their Heires, shall utterly be excluded and disabled from such Entry afterward to be made, any former Lawe or Custome to the contrary notwithstanding : Provided nevertheless, that if any Person or Persons that is or shall be entitled to such Suites, Plaints,

Limitations  
extended for

<sup>1</sup> Repealed by Petty Ale-houses Act of 1734.

Rights, Claimes, and Demands, or that hath or shall have such Right or Title of Entry, Persons incapable of claiming, be or shall be at the Time of the said Right or Title first descending, accrewed, comen, or fallen within the Age of xxj Yeares, *Feme Covert*, *Non compos Mentis*, imprisoned, or beyond the Seas, that then such Person or Persons, his or their Heyre or Heyres, shall and may be, notwithstanding the said tenn Yeares be expired, bring his Plaint, make his Title, sue his Right and Demand, or make his Entry, as he might have done before this Law; so as such Person or Persons, or his or their Heyre or Heyres, shall within five Yeares next after his or their full Age, Discoverture, coming of sound Mind, Inlargement out of Prison, or coming in this Island, take Benefit of and sue and pursue the same, and at no Time after the five Years.<sup>1</sup>

10. And be it further declared and established, That all Accions, or Plaints in Nature of Accions of Trespass, *Quare clu. freggitt*; all Accions of Trespass, or Plaints in Nature of Accions of Trespass, *Detineo sur Trover & Replevin*, for taking away of Goods and Chattels; all Accions, or Plaints in Nature of Accions of Accompts, and upon the Case, other than such Accompts as concerneth the Trade of Merchandize between Merchant and Merchant, their Factors or Servants, all Accions, or Plaints in Nature of Accions of Debt, grounded upon any Lending or Contract without Specialty, or Debts for Arrearages of Rents; all Accions or Plaints of Assaults, Menaces, Battery, Wounding, or Imprisonment, or any of them, which shall be sued or brought any Time after the making of this Law, shall be commenced and sued within the Time and Limitation herein and hereafter expressed; that is to say, the said Accions, or Plaints in Nature of Accions of the Case, (other than for Slander,) for Accompt, for the Trespass Debt, *Detineo & Replevin*, for Goods and Chattels, and of Trespass *Quar. clu. fregitt*, within two Yeares next after the making of this Law, or within three Yeares next after the Cause of such Accion or Plainte or Suite, and not after; and the said Accions or Plaints of Trespass, of Assault, Batterie, Wounding, Imprisonment, Accion of the Case, for Words, or any of them, within one Yeare after the making of this Law, or within two Yeares next after such Cause of such Accions, or Plaints in Nature of any of the Accions above mentioned, and not after.<sup>2</sup>

And nevertheless be it hereby declared and established, That if any of the said Accions, Plaints, or Suites, Judgment be given for the Plaintiff, and the same be reversed by Error or Verdict, *passé* for the Plaintiffe, and upon Matter alledged in Arrest of Judgment, the Judgment be given against the Plaintiff, that he take nothing for his Plaint, Suite, or Bill; or if or for any Defect whatsoever the Plaintiff take no Benefit of his Suite soe, pursued and brought as aforesaid, that in all such Cases the Party Plaintiff, his Heyres, Executors, or Administrators, as the Case shall require, may commence a new Plaint, or Accion or Suite, from Time to Time within one Year next after such Judgment, or such Judgment given against the Plaintiffe, or other Defect as is aforesaid: Provided nevertheless, and be it further declared and established, That if any Person or Persons that is or shall be entitled to any such Plaint or Accion of Trespass, *Detineo sur Trover*, *Replevin*, *Accompts*, *Debts*, *Trespass*, of *Assaults*, of *Menace*, *Batterie*, *Wounding*, or *Imprisonment*, or *Plaint* or *Accion* of the Case for Words, be, or shall be, at the Time of any such Cause of Plaint or Accion, given or accrewed, fallen or comen, within the Age of twenty one Yeares, *Feme Covert*, *Non compos Mentis*, *Imprisonment*, or beyond the Seas, that then such Person or Persons shall be at Liberty to bring the same Plaints or Accions, soe as they take the same within such Times as are before limited, after their coming to or being of full Age, Discover, or sound Memorie, at large, and returned from the Seas, as other Persons having no such Impediments should have done.<sup>3</sup>

These are proposed by the Lord of the Island, and commended to the Barrons, Officers, and Inhabitants there, as Laws and Ordinances convenient to be enacted and agreed on, at the Tynward Court, for the Weale Public and good Government of that Island. As witness his

<sup>1</sup> Repealed by Act of 1647.

<sup>2</sup> Suspended by Ordinance of 1661, Sec. 1, and repealed by Limitation Act of 1738, Sec. 1.

<sup>3</sup> The following note is inserted in the MS. Statute Book opposite this paragraph: "The Words of this Clause are not suitable with the ancient Form of Proceedings in this Island; the Partys aggrieved, Plaintiff and Defendant, have ever had Liberty, by way of Traverse, to have Jurys of further Tryal at the Discretion of the Court, or by way of Refference from the Lord of the Isle, as Occasion required: and that hath been the Forme held for Decision of all Tyttles."

Hand subscribed, and his Seale put on the Labell which affixeth these nine Sheets of Paper together: The Blanks to be supplied at the Discretion of a Tinwald Court.

JA. STRANGE.

All and every the Lawes and Ordinances comprized in these nine Sheets of Paper, as they were commended unto us by the Right Honourable our good Lord and Master, the Lord Strange; so we whose Names are subscribed, have concluded and agreed, and hereby do conclude and agree to the same, as wholesome Lawes and Ordinances for the Weal Publick of this Island. And hereupon the same are Enacted, Established, and Confirmed, by this Court of Tinwald, *Modo et Forma*, as they are laid down. The Blanks are supplied and filled up with the Hand-writing of the now Comptroller, by Consent of the Court, and the Clauses under-drawn, in the first, third, eighth, and ninth Pages, are excepted, and under Reformation of our said Noble Lord, his further Order and Declaration, demurred upon, and that for the Reasons in the Margins of the said Pages expressed. These Lawes and Ordinances were also publicly proclaimed in Audience of all the Commons, assembled at the Tinwald Hill, to the End that every one shall take Knowledge thereof.

The Officers Spirituall,

Nich. Thompson,  
Hugh Cannell.

Cha. Gerard,  
Rich. Sodor and Mann.  
Edw. Christian,  
John Sharples,  
Ewan Christian,  
Rob. Quayle,  
Rob. Callcot.

The Names of the Twenty-four Keyes of this Island :

|                  |                   |
|------------------|-------------------|
| John Curghey,    | Tho. Banks,       |
| Hen. Callcott,   | Wm. Standish,     |
| John Stanley,    | Phill. Moore,     |
| Tho. Crellin,    | Robt. Christian,  |
| David Christian, | John Cannell,     |
| John Garrett,    | Wm. Kissage,      |
| Robt. Lucas,     | Sill. Taubman,    |
| Robt. Clark,     | Sill. Radcliffe,  |
| Wm. Craine,      | Tho. Huddlestone, |
| Robt. Quayle,    | John Craine,      |
| Wm. Tyldesley,   | Wm. Stevenson,    |
| John Moore,      | Tho. Qualtrough.  |

I have perused these Acts beforementioned, and do give my Consent unto the same; and am well pleased the same shall be enrolled amongst the Lawes of the Island, to be observed and kept as wholesome Lawes for that Island; and I do require Performance thereof; provided always that the said Lawes, nor any of them, nor any Thing therein contained, be not any Wayes prejudiciall to my Title, Right, Claime, or Demand to any Lands, Tenement, or Hereditaments, Customes, Priviledges, or Immunities, in the said Island. Given at Lathom, under my Hand, this 16th Day of January Anno Domini 1637.

JA. STRANGE.

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FROM THE EXCHEQUER BOOK, 1641.

xxiiij Dei Aprill 1641.¹

*Att a court holden at Castletown the Dei and year
above said.*

Forasmuch as at this present there is a Multitude of Poore beggars (and much more than in former times), which wander abroad in the Countrie begging over the Island in general from parish to parish to the great annoyance of the Islanders. Wandering Beggars.

And forasmuch as such wandering beggars are bredd up thereby in felons and doe much prejudice to the inhabitants by filching and stealing, as by daily experience is observed; For prevention whereof (there being no express order upon Record). It is thought fitt and convenient that every parish shall keep and manteyne their own poore by setting the able of bodie to work and releevings the impotent. And to that end the Lockmen of the severall sheadings are enjoyned to apprehend the Bodies of all such beggars they shall find begging and wandering out of the parishes where they were borne or where unto they belonge by their latest habitation; and to whippe them severely, and after that to expell and bringe them out of his and their severall jurisdictions from Lockman to Lockman till they come to their own parishes they belonge unto as aforesaid. Each parish to maintain its own Poor.
Lockmen to arrest and whip beggars.

And this Order is to be immediately put in execution and published at the next Tinwald Court. And all and every the Inhabitants of the Island are required to assist and ayde the Lockmen in the execution of their dutie both in helping the Lockmen in whippinge them as aforesaid, and after in bringinge them out of the Lands where they shall be found wanderinge and begginge as aforesaid. Every one upon penaltie of fine and Ympris^{mt.}. This order to be published at Tynwald.

John Greenhalgh.
Ewan Christian.
John Sharples.
Robt. Quaile.
Henry Barron.

¹ These orders which do not appear to be passed as a Law are referred to in the Statute of 1665, Chap. 1, Sec. 19.

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INSULA }  
MONÆ. }

*Apud Castrum de Rushen,  
xxx<sup>o</sup> die Octobris 1643.*

Preamble.

Whereas before this Time, at Peele Town, the xviiij<sup>th</sup> Day of July 1643, before the Right Honourable James Earl of Derby, Lord of the said Isle, &c., the Officers Spirituall and Temporall, with the 24 Keyes of the said Island, and four Men of every Parish, were assembled together to advise and consider of certain Grievances of the Church and Commons of the said Isle, laid down and expressed in and by their several Petitions and Complaints unto his Lordship, and to study and devise such convenient Remedy and Redress therein as might or may best stand with the Maintenance and Preservation of his Lordship's Royalties, Rights, and Prerogatives of and within the said Island, the Good and Welfare of the Church and Commons of the same, and the Peace and Safety of the whole State in general; at which Place and Day it was mutually condescended and agreed unto by all Parties, as well Complainants as Defendants, and it was their humble Desires, that his Lordship should chancelarise, order, and decide, all and every their Matters and Business of Complaint or Agrievance whatsoever, as in his Honour's Wisdom shall be thought Meet and Convenient. To which Order, Doom, and Decree, every of them, viz. the Reverend Father in God Richard Lord Bishop of this Isle, with his Officers Spiritual and the Body of the Clergy, the said twenty-four Keyes of the Island, with the four Men of every Parish, in the Name of themselves and of the whole Commons of the Isle, by whom they were chosen and thither sent for that Purpose, did condescend and agree for them, their Heirs and Successors, to stand, to perform, and abide such his Lordship's Order, Doome, and Decree therein, as should be thereafter published and declared under his Honour's Hand and Seale.

Grand In-  
quest.

To which End and Purpose, and for the more perfect, more ready, and good Performance of the Business, according to Justice and Equity, his Honour (being willing to understand the true State of all their Causes and Grievances) was graciously pleased to give Order, that a select Jury and Grand Inquest of twenty-four Men, newly chosen, whereof 12 of the 24 Keyes to be Part, and 12 of the four Men of the Parishes there present, should be impannelled and sworn to find out and present all such Wrongs and Abuses as have

been comitted or acted against his Lordship's Prerogative, the Lawes of the Island, or the Good of the Comonaltie, as by the Tenor, Form, and Effect of the Oath then administered unto them by Ewan Christian Esquire, one of the Deemsters of the said Isle, more plainly appeareth; which Oath was *verbatim* as followeth:

You shall truly and faithfully proceed and prevent all Oath. such Wronges and Abuses as have been committed and acted against the Lord's Prerogatives, the Lawes of the Island, and the Good of the Commonaltie; all which you shall, by virtue of your Oath, maintaine and defend.

You shall, without Malice, Favor, or Affection, give in a true Answer according as Cases shall (by sufficient Proofs and Testimonys, Records, or any other legall Manner) be made appear. So God you help, and his holy Word contained in this blessed Book.

The names of the said 12 chosen out of the 24 Keyes are,

|                    |                   |
|--------------------|-------------------|
| John Stanley,      | John Moore,       |
| Thomas Crellin,    | William Crayne,   |
| Thomas Huddleston, | Sam. Ratcliff,    |
| Hen. Callcott,     | William Standish, |
| William Tyldesly,  | John Teare, and   |
| William Cloage,    | John Caine.       |

The Names of the said 12 chosen out of the four Men of the Parishes are,

|                     |                  |
|---------------------|------------------|
| William Moore,      | Dollin Clark,    |
| William Brew, jun.  | Nich. Moore,     |
| Ro. Crowe,          | Edward Shimin,   |
| Richard Cowle,      | Hen. Gawne,      |
| William Qualtrough, | Wm. Caighan, and |
| William Teare,      | Finloe Kelly.    |

All which, as one Grand Enquest or Jury of Presentment, do find and present upon their Oathes certain Prooffs and Examinations, which they had taken upon the Petitions of the several Parishes, the most of which did concern particular Abuses of the Clergy, by particular Ministers and Proctors, in the collecting of their Tithes and Duties to the Church, contrary to the known Lawes and Orders of the Island: Whereupon his Lordship gave Order, that the Clergy and Proctors should make their Answers, and plead their Defence against such the Complaints of the Country;

Abuses by  
Proctors.

which accordingly they have done, and have given his Lordship such Satisfaction therein, with Promise of Reformation for future Time, and have made and offered also to his Lordship such feizable Reasons of their just Grievances against the Comonaltie, that his Lordship (for Preservation of Love and Unity betwixt the Clergy and Commenalitie for Time to come) thinkes fitt that those Matters of particular Grievances on both Parts shall be no more remembered: Nevertheless, if any of the Parties grieved think good hereafter to prosecute their Grievances and put them to a Tryal, his Honour will take Paines to give his especial Order therein for Relief of the wronged Partie.

And whereas amongst other the Complaints of the Country, some particular Matters concerning the generall Goods are most considerable of Reformation and Determination his Honour was graciously pleased to assemble the Clergy, and 24 Keyes of the Island, with the four Men of every Parish, to meet this Day, being the 30th day of October 1643, as afforesaid, at his Castle of Rushen, where accordingly they did appear, and then and there upon their ensuing Business, (agittated and disputed before his Lordship) betwixt the Clergy and Proctors upon the one Part, and the said xxiiij Keyes and four Men of the Parishes in Behalfe of the Countrey upon the other Part, his Lordship doth order and declare as followeth:

Infants' Property distributable.

1. First, That whereas when there are diverse Children left under Age, and Executors by their dead Parents Wills, if any of them shall dye before he or she comes to the Age of xiiij Years, (which is the full Age the Law requires before such Infant can dispose of his Goodes by Will or otherwise,) the Goodes of such Infant falls by Law to the rest of its Brothers and Sisters: Yet notwithstanding the Church have used to make a Decree of this Child's Goodes, and for the same takes a Fee of three Shillings four Pence for decreeling the Goodes to its Brothers and Sisters, which is needless, (as is argued by the Countrey,) the same falling upon them by Law as afforesaid, without any Decree, his Lordship therefore hereby ordereth, that the Church shall take noe more than vjd. for the taking Notice of, and making of the Decree for and concerning such a Child's Goods, being under Age as afforesaid.<sup>1</sup>

Parish Clerks.

2. Itm. Whereas it is a Complaint of the Country, that the Lord of the Island makes Clearkes of the Parishes by his speciall Grants, whereas the Parishioners pay the Cleark his Dues, his Lordship is graciously pleased that the Parishioners and the Parson or Viccar of the Parish shall have the Nomination of the Clearke, and the Bishop or Ordinary to have the Allowance or Approbation of him for his Sufficiency and Ability to perform the Place; and this Order to take effect after the Time of the Grants in being be expired, which have been heretofore made by his Lordship or his Ancestors.<sup>2</sup>

Wills.

3. Itm. Whereas it is complained of, that the Ministers of the Parishes have taken xijd. for the writing of a Decedants Will, whereas the Party himself, or his Friend for him, would have written it for little or nothing; and that the Church have sometimes refused to accept of and prove

<sup>1</sup> Repealed by Statute of 1813, Chap. 2.

<sup>2</sup> Repealed by the Church Act, 1880, Sec. 34.

such Wills, except they were made and written by the Minister's Hand ; his Lordship's Order is, that every Man may make, or cause to be made, his own Will, by whom he shall please to direct ; and if he desire the Minister to make it, that he shall agree with the Minister as he can for the Writing thereof, and not otherwise.

4. Itm. Whereas when a Man dyes intestate his Goodes, by the Law, ought to fall to his Children unmarried equally amongst them ; yet, contrary to this, the Church sometimes use to decree the whole Teame of Oxen and the Cropp of Corne to the eldest Son, which commonly is more worth than all the rest of the Goods ; it is therefore ordered by his Lordship, That if the Church shall hereafter make any such Decree in favor to the eldest Sonn, to the Wrong of the rest of the younger Children, that Decree shall be void, and the Goods to go equally amongst all the Children according to the Law.<sup>1</sup> Intestates.

5. Itm. Whereas it is a great Complainte of the Countrey, that the Clergy and Proctors use to take viijs. for a Corpresent sent out of a Decead<sup>ts</sup> Goods of the Value of iiijl. and proportionably after that Rate forth of Goodes under that Value, it is ordered by his Lordship, That noe Corpresent shall be hereafter taken by the Clergy or Proctors of Spirituall Livings of any Deceadent's Goods under the Value of vjl. xiijs. iiijd. ; and of that Value, and under the Value of xxl., they shall take but xxd. for the Corpresents ; and if the Goods be of the Value of xxl. and under the Value of xl., they shall take for the Corpresents but iijs. 4d. ; and out of Goodes of the Value of xl. or above, they shall take vjs. iiijd. and no more be the Goods of what Value soever they may be ; and that none shall pay a Corpresent but such as at the Time of his or her Death were Housekeepers and Masters of a Family and that no Infant or Child under the Age of fourteen Years, nor no Woman under the Covert Baron, shall pay any Corpresent ; and if any Clergyman or Proctor take more for a Corpresent, or otherwise than as afforesaid, he shall forfeit so much in Value as he shall take above the Summ before limitted, and also vjs. viijd. to the Party grieved, to be recovered by Accon of Debt at the Common Law ; but it shall be lawful for any Spirituall Person to take any Summe, or other Thing, which by any Person dying shall be given or bequeathed unto him. Exception for Infants and Feme Covert.

6. Itm. Whereas it is a greate Complainte of the Tythe. Country, that by the Spirituall Lawes here they are forced to pay Tyth Butter and Tyth Cheese, which is called the Milk Tythes ; and in the Payment thereof there is an undecent Order in paying it on the Sabbath Day upon the Alter in the Church, where there often falls out great Con-

<sup>1</sup> Repealed by Statute of 1777, Chap. 14.

tention betwixt the Minister and Proctors on the one Part and the People that pay the same on the other Part; and sometimes the People are put to their Oathes for such Things, upon triviall Matters; which Kind of Tything is much out of Use in most Parts of the King's Dominions; his Lordship therefore orders, That from henceforth no more Tyth Butter or Cheese shall be paid in Manner as aforesaid; but in lieu thereof the Farmers, Cotlers, and all others who ought to pay such Tythes, shall at Easter, when the Accompt for their other Dutys to the Church, pay *iiijd.* for every Cow which has a Calf that Yeare, and *ijd.* for every Farrow Cow which had no Calfe, but gave Milk since the Easter before, and one Penny out of every four Milk Sheep, and *jd.* out of every two Milk Goates; the Viccars of Thirds and Pentioners, who were used to have a choice Cheese, they to have in lieu thereof the Moneys due for the Tyth Cheese, and Butter of a choice House in the Parish, and the Sumner likewise.<sup>1</sup>

Proctor to be  
named before  
Harvest.

7. Itm. Whereas there hath been, and it is a great Complainte made by the Countrey, for the Losses they have suffered by the Ministers and Proctors not coming in due Time to take the Tyth of their Corne, whereby the Farmers have sometimes lost their own Corne, not daring to draw or lead the same before the Proctor or Minister come to take away their Tyth; his Lordship therefore, for Prevention of such Inconveniencies, doth order and decree, That from henceforth the Parson, Viccar, and Proctor of every Parish, shall acquaint the several Farmers of the Parishes with the Names of his or their Under Proctors or Deputies, who are to receive their Tythes; and this shall be done in the Month of July before the Harvest beginn; and when the Time of Harvest is come, the Farmer shall give Notice to him or them who are to have and receive their Tyth Corne the Evening or Day before such Farmer intends to lead his Corne; and then if the Parson, Viccar, or Proctor, or his or their Under Proctors, come not to take the Tyth of the Farmer's Corn according to the Warning given, the Farmer to take two Neighbours to justify with him that he hath left his due Tyth: This Warning to be given by the Farmer as aforesaid, shall be given at the Parsonage, Viccarage, or Proctor's House, who is to receive the Tythes, if there be any such in the Parish; and if it be a Stranger of another Parish, or Layman of the same Parish, such Stranger of another Parish or Lay-

Notice to  
Proctor of  
drawing  
Corn.

<sup>1</sup> Repealed so far as relates to Tithes payable to Bishops and Clergy and as to certain impropriate Tithes by the Tithe Commutation Act of 1839.

man of the same Parish shall, before the Time of Harvest, acquaint the Farmer at what House in the same Parish the Farmer shall give or leave such Notice, that his Corne is ready for leading, or that he intends to lead; and the like Order for Tyth Hay is to be observed.

~~8. Itm. Whereas it is complained of by the Comonaltie Security on against the Ordinary, and his Spirituall Officers, that proving Will. Orphans Goods and just Debts to Creditors are not, and have not been sufficiently secured by their Court; by Means whereof diverse poor People being left Orphants, and many others, who had just Debts owing to them by the Deceadents, have mightily suffered in their Estates; his Lordship therefore doth order, that the Goods of the Deceadent, according to the Inventory, shall be made good by the Ordinary, or his Spirituall Officers, if he or they, upon the praying of the Will or making of the Decree where no Will was made, do not, or shall not take sufficient Security for the same.~~

*Repealed by the Ecc. & Civil Judicature Trans. 1684 Act. 2. Vol. 1 h 354*

9. And whereas there is a Controversy betwixt the Tythe. Clergy and Proctors upon the one Part, and the Comonalty upon the other Part, concerning the Payment of some other Tythes and Dutyes, as Tyth Wool, Tyth Fish, Clerk Silver Fees for Probation of Wills, and the Sumner's dues, and this upon a pretended Record produced by the Comonalty of the Year 1541; which Record hath this Day been in open Court deliberately discussed and argued *pro et contra*, by both Partyes, before his Lordship, and there adjudged of no Validity, upon diverse good Reasons; his Lordship doth therefore order and declare, That the said Record be of no force or Effect hereafter to be pleaded in Way of Barre to the Book of the Spirituall Statutes enrolled in the Statute Book of the Island; and therefore that the Lawes and Orders positively made, and in that Book recorded, shall be from henceforth duly and truly observed in all Things, till some other Law, Statute, or Ordinance shall be agreed upon to the contrary.<sup>1</sup>

10. And whereas there is an undecent and irreverent Use in this Island by the Proctors and Clergy, when they collect their small Tythes and Offering Money at Easter, they demand the same at the Time the People are to receive the Communion, and sometimes will stop the People from receiving the Blessed Sacrament, because they have not paid their Duties; his Lordship therefore ordereth,

<sup>1</sup> Repealed so far as relates to the Tithe payable to Bishop and Clergy and as to certain Improprate Tithes by the Tithe Commutation Act of 1839.

That the Proctors and Ministers to whom such small Tythes and Oblacions belong, shall sitt in the Parish Church upon Monday and Tuesday in Easter Week after the People have received the Communion, there to receive their Dues; and whosoever shall not pay their Dues to them upon one of those Days, the Ministers and Proctors shall proceed against them by Way of Citation before the Ordinary or his Officers: and his Lordship thinkes fitt, that the Minister or Proctor in such Cases of Wilfull Neglect by the People in not paying their Dues, shall have the speediest and strictest Course that may be from the Ordinary for the Recovery thereof.<sup>1</sup>

In Witness the said James Earle of Derby hath hereunto put his Hand and Seale of Armes the Day and Yeare first above written.

JAMES DERBY.

Consented unto and witnessed by us whose Names are subscribed :

John Greenehalgh,  
Ewan Christian,  
Robert Quaile,  
John Sharples,  
William Smith,  
John Cannell,  
John Christian.

Rich. Sodor and Mann,  
Hugh Cannell,  
Robert Parr,  
Robert Allen,  
James Moore,  
Robert Norris,  
John Cosnamham,  
Tho. Parr,  
John Harrison.

Twenty-four Keyes :

John Stanley,  
John Curghey,  
Tho. Huddleston,  
Hen. Callcott,  
Thomas Crellin,  
Phill. Moore,  
Richard Stevenson,  
Will. Christian,  
John Garrett,  
John Christian,  
William Standish,

William Tyldesley,  
Thomas Bancks,  
John Moore,  
William Clague,  
John Cæsar,  
David Christian,  
William Craine,  
John Craine,  
Robert Quayle,  
Robert Barry.

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<sup>1</sup> Repealed so far as relates to the Tithe payable to Bishop and Clergy and as to certain Improprate Tithes by the Tithe Commutation Act of 1839.

## Four Men of the Parishes :

*Trint. Rushen.*

Hen. Gawn,  
 Nich. Clague,  
 William Gawn,  
 Hen. Nelson.

*Trint. Ayre.*

Robert Crow,  
 Nich. Corlet,  
 William Stevenson,  
 Ewan Curphey.

*Kirk Bride.*

Pat. Cowle,  
 John Cowle,  
 David Christian.

*Kirk Andreas.*

John Kee,  
 William Brew, Jun.  
 John Lace.

*Michell.*

Hen. Woods.

*Lupi.*

Hen. Wanewright,  
 Edw. Shimin.

*Conchan.*

Dan. Christian.

*Jurby.*

Dollin Clark.

*Lonnon.*

Dan. Qualtrough,  
 Tho. Quine,  
 Phill. Brew.

*Maughold.*

Gilchrist Callow,  
 Jo. Kerruish,  
 Ro. Kerruish.

*Santan.*

Nich. Moore,  
 William Kissage,  
 Tho. Quay,  
 Christo. Kinnish.

*Braddan.*

Jo. Kewley,  
 Paul Gelling,  
 Jo. Cannell.

*Runij.*

Nich. Killey,  
 William Cubbon.

*Arbory.*

Jo. Harrison,  
 William Cubbon.  
 Hen. Maddrell.

Note.—The Reason why the full Body of the Twenty-four Keyes, and the four Men of each Parish, are not all incerted is, because their Meeting at Castle Rushen, the said 30th October 43, proved a very tempestuous Day of Raine and Wind, they could not conveniently travell without Hazard, &c. ; and therefore the Names of them who happened to appear were only taken, as appears placed in the Original of the afforesaid Statutes.



*At the Tinwald Court,*



*Holden at St. John's Chappell, in the Parish of Kirk German, in the Isle of Man, the xxiiij Day of June, in the Year of our Lord 1645, before the Right Honourable James Earle of Derby, Lord of the said Isle, John Greenehalgh, Esquire, Governor of the said Isle, with the rest of the Lord's Councell there, Ewan Christian, Esquire, and John Cannell, Gentlemen, Deemsters there, with the Representative Body of the said Countrey, viz. the xxiiij Keyes of the said Isle, whose Names are subscribed, it is Ordered, Enacted, and Ordained, as followeth :—*

Recital of  
Commission  
of 10th Dec.  
1643, from  
the Earl of  
Derby to  
let Lands for  
21 Years.

Quarter  
Lands to  
descend to  
eldest Son  
or eldest  
Daughter.

Party may  
grant by  
Deed.

1. First, Whereas the said Right Honourable the Lord of the Island hath been graciously pleased to grant his Commission, bearing Date the xth Day of December, Anno 1643, to the said John Greenehalgh, Esquire, John Sharples, Comptroller, William Smith, Receiver, and John Cannell, Deemster of the said Isle, for the setting and letting of all and every his Honour's Lands, Tenements, Intacks, Cottages, Mills, and Hereditaments whatsoever, to the Tennants and Inhabitants of the said Island, for the several Termes of three Lives, or xxj Yeares, as should be by them the said Commissioners and Tennants concluded and agreed upon; by Force whereof, and according to the Letter thereof, it might be concluded, that for and during the severall Termes soe agreed upon, every Tennant, Farmer, and Inhabitant of the said Island should have Power and Authority to give, grant, and assigne such Lands, Tenements, Milns, Cottages, Intacks, and Hereditaments, as he or they had so compounded for, unto what younger Child or Children, or any other Person or Persons whatsoever, which he or they should like best so to give, grant, or convey the same which as to Lands and Tenements in the said Island called Farme Lands or Quarter Lands, and as to Milns, Cottages, and Intacks of Ease to such Farmes, is a Course contrary to the antient Custome and Order of this Island, and not usuall to be done: Now upon the humble Suit of the said xxiiij Keyes of the Island, the Representative Body of the Countrey as aforesaid, it is ordered, enacted, and ordained, by the Approbation and Consent of his Lordship and Authority of this Court, That no Manner of Person or Persons whatsoever shall have Power or Authority, by virtue of any his Lordship's particular Grants made or to be made, or by any the Compositions [or Agreements<sup>1</sup>] by any of them made or agreed upon, [or hereafter to be made or agreed upon,<sup>1</sup>] with the Commissioners aforesaid, to give, grant, or assign all or any of his or their Lands, Tenements, Milns, Cottages, or Intacks, soe agreed or to be agreed for, but according to the antient and usuall Customary Lawes of the Island, viz. of Lands and Tenements called Farme Lands or Quarter Lands, and of Milns, Cottages, and Intacks of Ease to such Farme Lands or Quarter Lands, whereof the Tennant or Tennants now, by virtue of the said Commissions, have compounded for, or hereafter shall compound for, and whereof they are or shall be possessed, interested, or estated by Descent or Title of Descent from his or their Ancestor or Ancestors, such Farme Lands and Quarter Lands, with the Milns, Cottages, and Intacks of Ease, to descend and come (after the Death or Decease of such Tennant or Tennants) unto his or their eldest Son, or for want thereof to his or their eldest Daughter, and in Default of such to the next of Kindred, and to no other Child or Children, Person or Persons whatsoever, except it be by Gift, Grant, or Assignment in case of Poverty, or for or upon some other just Cause or Reason, and the same made known, approved by, and consented unto by the Lord of the Island, or by his Lieutenant or Governor of the said Island, and the Officers thereof, viz. by the Governor and Council of the said Island, and by the Deemsters of the said Island, or by any three or more of them, whereof the Lieutenant or Governor to be one; and that all Manner of Gifts, Grants, or Assignments made, or hereafter to be made, to the contrary, shall be utterly void and of noe Effect; and the Party or Partys soe giving, granting, or conveying any of his or their

<sup>1</sup> These words are omitted in the M.S. Statute Book, but appear in other MS. copies in the Rolls Office.

Lands, Tenements, Milns, Cottages, or Intacks, contrary to this Act, to forfeit lxs. to the Lord of the Isle, to be levied upon his or their Goods or Chattels; or in Default of such, upon the Lands, Tenements, Milns, Cottages, or Intacks, so given, granted, or assigned contrary to this Act.<sup>1</sup> Fine of £3 to the Lord.

2. Itm. Whereas by some particular Grants and De- Re-entry in case of Non-payment of Rent.  
 mises under his Lordship's Hand already made, sealed and delivered, it is provided and excepted, That for want of Payment of the Rents at the usuall Dayes of Payment, the Lands, Tenements, Hereditaments, soe granted, to be forfeited, &c. His Lordship, upon the humble Suit of the said Representative Body of the Countrey, is pleased that it be ordered and enacted, and be it now ordered, ordained, and enacted, That no Forfeiture shall be taken of any Lands, Tenements, Milns, Cottages, or Intacks so granted, or to be granted by his Lordship or his Heirs, for or upon the Case of Non-payment of Rents, but that his Lordship and his Heirs shall, according to the antient Custome of this Isle, by his Officers thereof, comitt the Bodies, or take the Pawnes of such Person or Persons as shall be behind with their Rents; and for want of Goods to be had or found with such Party or Parties who are or shall be behind with their Rents, his Lordship and his Heires, by his or their Officer or Officers of this Island, to re-enter into and to take the Forfeiture of such Lands, Tenements, Milns, Cottages, or Intacks soe granted or to be granted as afforesaid.

3. Itm. Whereas by the antient Laws of this Island Lord's Duties and Services.  
 the Tennants and Inhabitants thereof are accustomed, and have been accustomed to do their Duties and Services to his Lordship and his noble Ancestors, at the building or repairing of any of his Honour's Foarts or Houses in the Island, by the Service of themselves in Person, or by the Service of some sufficient and able Labourer in his or their Behalfe, fitt for the Work in Hand; contrary to which Course many and diverse of the Farmers and Tennants of the better Sort usually sends Boys and Children to such Works; by Means whereof the Burthen lies upon the poor People, who are constrained to serve in their own Persons, and such Works are neglected, or not well performed, notwithstanding that they are for the Honour and Safety of the Countrey; it is now therefore ordered and enacted, That every Farmer, Tennant, and Inhabitant of this Island, soe neglecting to do such Duty or Dutys in his or their own proper Person or Persons, or in Default thereof, shall Fine for non-attendance on Lord's Work.  
 not faile to send some able and sufficient Labourer in his

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<sup>1</sup> Repealed by Act of Settlement 1704.

stead, he or they so offending shall for every Time forfeit and loose vjd. Fine to the Lord, upon the Presentment of the Officer or Officers that are or shall be put in Charge with such Works.

Pedlars.

4. And forasmuch as many Pedlars do frequent this Island, and sell their Commodities in this Island without Approbation or Allowance of their Weights and Measures, to the great Annoyance of many of the ignorant People of this Land; be it therefore enacted and ordained, That soe oft as it shall appear upon Complaint and due Proof that any such Pedlar or Pedlars shall sell or buy by any unlawfull Weights or Measures, he or they soe offending shall be fined and punished at the Discretion of the Governor and Government of the Island, and be forbidden or disallowed to make any Sayle of any Commodities, or buy any Commodities in this Island.<sup>1</sup>

Unlawful  
Weights.

Grain Mea-  
sure Win-  
chester  
Bushel.

5. And whereas upon due Consideration it is desired by the said Representative Body of the Island, the xxiiij Keyes, that there may be Measures for all Manner of Graine made after the Winchester Bushell, every Barrell to contain four Bushells, and Measures of lesser Soarts agreeable, and that every Man shall sell by the Strike, and not by the Upheape, be it enacted and ordained by his Lordship, and the Authority of this Court, That such Measures shall be made forthwith, and put into and kept in every Markett Towne of this Island; and the Comptroller, by himself or his Deputy, to try all such Measures as shall be brought unto him, by and with the Measures soe to be made, and the same soe tryed and approved of to seale with the Lord's Marke, and for his or his Deputys soe doing to have as it is provided and allowed by the Act made in Anno 1637. And noe Manner of Person or Persons whatsoever to sell by any other Measure from and after the first Day of August next, upon Paine of lxs. Fine, as in and by the said Act of 1637 is provided.<sup>1</sup>

No Land to  
be held Rent  
free.

6. And whereas by the Statute Book of this Island, Fol. 2, it is declared, That every one that occupieth any Parcell of Land in this Isle, (except Tennants Julaynes) shall pay the Value of that which he occupieth, without Quest of Setting or Farme taking: The which not being well understood by diverse of the Island, it is now declared by this Court, That the Meaning of the said Statute is, and that so from henceforth it shall be understood, that no Manner of Persons shall hold any of the Lord's Wast or Commons of this Land unrented; but that whosoever holdeth the same, and concealed it, unrented, he shall pay the Value thereof.

Prowess.

7. And whereas by the Statute Book, Fol. 4, the Word Proves is used, &c., which is not understood by many of the Countrey; it is now declared by this Court, That the true Meaning thereof is, and so from henceforth shall bee taken to be, that the said Word Proves is meant Prowesse or Combate; the which by the same Statute, and by this Act also, is forbidden, except in Matters of the Lord's or Countrey's Defence.

Treason.

8. And whereas by the Statute Book, Fol. 12, it is laid down, That whosoever pleadeth any Deceipt against the Lieutenant, he is a Traytor by our Law, &c. For the better Explanation of the Meaning of that Point of the Statute, it is ordered and enacted by this present Court, and by the Authority thereof, that whosoever pretendeth or practiceth any Evill or Hurt to the Prejudice of the Lord, of the Governor or Government of the Island, he or they so doing, and being thereof lawfully convicted, shall forfeit as in case of Treason.<sup>2</sup>

<sup>1</sup> Repealed by Statute of 1777, Chap. 10.

<sup>2</sup> Repealed by Criminal Code of 1817, Sec. 7.

9. And whereas there are several Statutes concerning *Exportation*. Transportation of Corne, Cattle, and other Commodities, which do not absolutely agree one with another; now for the full Declaration of the Meaning of the said Statutes, and the true Use thereof, it is hereby ordered and enacted, That there shall be Transportation of all such Goods, when and at such Time or Times as the same shall be thought fitt and agreed upon by the Governor and Councell of the Island; and to that End the Governor and Councell of the Island shall consult and advise once in every Week what is fitting to be lycenced for the Good of the Countrey, and the same to be accordingly lycensed by the Governor or Deputy for the Time being; and if there be Complainte made [by the Country for Restraint<sup>2</sup>] of such Commodities, or of too much Lycence given thereof, then the Governor to call the *Embargo*. xxiiij Keyes and Officers of the Island, and to consider of and determine what is or may be most fitt to be transported, always considering the general Good and Safety of the Island.

JAMES DERBY.

John Greenehalgh,  
Ewan Christian,  
John Sharples,

William Smith,  
John Cannell,  
William Christian.

Twenty-four Keys :

Henry Callcott,  
Thomas Huddleston,  
John Curghey,  
Rich. Stevenson,  
Samuel Radcliffe,  
Phill. Moore,  
John Garrett,  
John Christian,  
John Teare,  
John Kee,  
David Christian,

Tho. Norris,  
William Quayle,  
Robert Barry,  
Thomas Bancks,  
William Crayne,  
John Cæsar,  
John Moore,  
Will. Stevenson,  
Hen. Watterson,  
Will. Cloage.

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*To the Right Honourable James Earle of Derby,
Lord of Mann, and the Isles, &c.*

The humble Petition of your Lordship's Servants, the Officers and twenty-four Keyes of the said Island,
Sheweth,

That foresauch as we have understood and heard of a foule Misdemeanor comitted *Coining*, lately in this Island by certain Men which came lately out of England, in that they *Treason*. did coyne and utter false Moneys called Ducketoons, to the Number of four at the

² These words are omitted in the MS. Statute Book, but appear in other MS. copies.

Forfeit Life
and Pro-
perty.

least, and perhaps more of the same Kind, or of some other Stampe in base Mettle, as Pewter or such like; which foule and enormous Offence, as we have understood, is by the Lawes of all Nations a Case of High Treason: And whereas we find no particular or express Law in Writing amongst the Records of our Laws which punctually provides against such Offences, our Nation having been so happy hitherto as that not ever any such Offence or Misdemeanor was heard of or known to be comitted, perpetrated, or done in this Island; we humbly pray your Lordship, that for the Prevention of such like Inconveniences hereafter, it bee enacted and established for Law by your Lordship's Confirmation, That if any Person or Persons whatsoever shall hereafter falsifie, forge and counterfeit, clipp or diminish, any Kind of Current Coyne, or shall bring false Money into the Island counterfeit to such Current Money as aforesaid, knowing the same to be false or counterfeit, and do Merchandize or make Payment thereof, in deceit of this our Countrey and People, and be thereof lawfully convicted according to the Course of Trials for Life and Death in this Island, all and every such Person or Persons soe offending shall be adjudged, deemed, and taken to be in Case of High Treason; and for the same shall forfeit Life, Lands, Tenements, Goods, and Cattles, to the Lord of this Isle and his Heirs, as in the Cases of other Treasons they use to do by the Lawes of this Land.¹

John Greenehalgh,
Ewan Christian,
John Sharples,

William Smith,
John Cannell.

Twenty-four Keys:

Tho. Huddleston,
Phill. Moore,
Richard Stevenson,
Hen. Calcott,
Tho. Bancks,
David Christian,
John Teare,
Sam. Radcliffe,
William Crayne,
Hen. Watterson,
John Caesar,

Robert Barry,
John Garrett,
William Standish,
Robert Quayle,
Thomas Norris,
William Tyldesley.
William Quaille,
William Cloage,
William Stevenson,
John Curghey,
John Christian.

March 10th, 1646.

I do approve of the Petitioners Request, and confirm the same as an Act, to be published for a Law at the next Tinwald.

JAMES DERBY.

From the Exchequer Book 1647, No. 39.

At the Court of Tinwald holden the xxiiijth of June 1647.

Whereas there was an antient Law or Order made in Anno Domini 1593, that all such as had Claimes to make, or Titles to pretend, to any Lands, Tenements, Houses, or Grounds within this Isle, and did not exhibit his or their Bill in Writing for the same before the Lord of this Isle, his Lieutennant or Captaine, and other principall Officers of this Isle, within the Space of twenty-one Yeares next after he or his Ancestors had been dispossessed thereof, that then he or his Successors claiming after him to be utterly excluded and barred from making any Title thereunto for ever after: Now the Officers and twenty-four Keyes of this Isle do humbly pray the Right Honourable James Earle of Derby, Lord of this Isle, his Honour being

Limitations
for claims to
Lands, 21
YEARES.

¹ Repealed by Criminal Code of 1817, sec. 7.

at this present in Court, that, notwithstanding a second and contrary Act or Order made in this Case in Anno 1637, the said Act nevertheless of 1593 may be this Day confirmed and established by his Lordship, and the same proclaimed now immediately upon the Tinwald Hill, and the Act of 1637 in that Case to be revoked.¹

I am content,

J. DERBY.

John Greenehalgh.

Ewan Christian.

John Cannell.

William Smyth.

John Sharples.

Sam. Radcliffe,
John Christian,
Robt. Barrie,
Henry Waterson,
Will. Cloague,
John Cayne,
Tho. Hudelstone,
Henry Calcott,
John Curghie,
Phillip Moore,
Richd. Stevenson,
John Garrett,

Robt. Quaile,
Willm. Standish,
David Christian,
Willm. Tyldesley,
Thos. Norris,
Wm. Quaile,
John Cæsar,
Thos. Bankes,
Will. Gawne,
John Teare,
John Moore,

Confirmation of Act of 1601.

It is enacted, confirmed, and published for Law, as in the Exchequer Book for the Year 1601, more at large appeareth, That whosoever shall accuse or speak any scandalous Speeches against any Chief Officer of this Isle, Spiritual or Temporal, or any of the xxiii Keyes, touching either their Oathes, or the State and Government, or any other scandalous Speeches which might tend to the Defamation of their Offices and Places, and be not able to prove it, shall be fined for every Time soe offending in Tenn Pounds, and their Ears to be cut off for Punishment besides.²

From the Exchequer Book 1649. No. 72.

XX^o Die February Ano 1648.

Whereas it was proposed unto us what course we thought fittest for suppressing of inordinate oppression of the people of this Isle by taking alone the rate of Tenn pounds in the hundred pounds per annum for the loan of Money either in Money or Morgadge or by Wares or comodetys or in any other ways whatsoever.

Wee think it very fitt and conscionable that all oppressive Contracts for loan of Money or otherwise as aforesaid above the said rate of Tenn pounds in the Hundred pounds shall be punished and proceeded against. And do hold the best course for the punishing of such abuses, and the proceedings in and concerning the same to be rectified and punished by the Court of Chancery as well by the fining and punishing of all such extorcons and oppressive contracts for loan of Money or otherwise as aforesaid. As also for the relieving of the partie or parties that is as shall be

Scandal
against Pub-
lic Officers.

A lawe con-
cerninge
usurious
contracts
above the
rate of x*l*.
in the £100.
Interest on
loans limited
to 10 per
cent;

¹ Extended as to persons under disabilities by Act of 1662, sec. 6.

² Repealed by the Tynwald Court Procedure Act, 1876, sec. 14.

Remedy and punishment. oppressed as already hath been punished and proceeded in the s^d Court as that Court shall think fit and reasonable according to the nature and condicon of the fact and oppression committed or done.¹

Wee the officers doe approve hereof with the 24 Keys—

John Greenhalgh.
John Cannell.
John Christian.
John Sharples.
William Christian.

Rich. Stevenson.
John Curghe.
Henry Calcott.
Robert Quaile.
Jo. Garrett.
Wm. Craine.
Willm. Tyldestly.
Willm. Cluage.
Hy. Waterson.
Sam. Ratcliffe.

Robt. Barron.
John Christine.
Thomas Bankes.
John Cæsar.
John Teare.
Hy. Stephen.
Phillip Moore.
Will. Quaile.
Tho. Fletcher.
John Cayne.

June 24, 1649.

My pleasure is that this be published for a law at the next Tyndwall.

J. Derby.

~~~~~  
*From the Exchequer Book, 1651. No. 31.*

*Apud Cur. Goall. Deliberand. Tent. 2<sup>o</sup> Junij 1651.*

Counterfeit-  
ing Gover-  
nor, or  
Deemsters'  
Tokens.

Forasmuch as John Moore of Kirk St. Anne hath made unlawfull and wrong Use of the Governor's Token, and converted it otherwise than he hath had Directions for, for which he hath been punished by Imprisonment, and is still so to continue during the Governor's Pleasure; now for the Prevention of any such Error and Abuse to be committed by any Man hereafter, it is enacted, ordered, and decreed, That whosoever shall hereafter counterfeit or make false Use of the Governor's Token, he shall forfeit xxs. to the Lord's Use, and suffer Imprisonment during the Governor's Pleasure; and whosoever shall counterfeit or make false Use of the Deemster's Token, he shall forfeit xs. and suffer also Imprisonment during the Governor's Pleasure; and this to be published and proclaimed the next Tynwald Court for a Law, to be henceforth observed upon the Penalty aforesaid.<sup>2</sup>

John Greenhalgh,  
John Cannell,  
John Christian,

Will. Christian,  
John Sharples,  
Will. Huddleston.

John Curghey,  
Rich. Stevenson,  
John Garrel,  
Will. Standish,  
John Cæsar,  
Robert Quayle,  
Tho. Fletcher,  
Will. Quaile,  
Thomas Norris,  
Samsbury Radcliff,]

John Tear,  
John Caine,  
• Tho. Thompson,  
Tho. Tubman,  
Dollin Clark,  
Hen. Moor,  
William Stevenson,  
William Clague,  
Hen. Watterson.

Be it enacted as it is desired, J. DERBY.

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<sup>1</sup> This Act, which is not inserted in the original MS. Statute Book, is repealed by Statute of 1691, Chap. 1.

<sup>2</sup> Tokens (which were of Stone) abolished by Act of 1763, Sec. 19.

~~~~~

From the Exchequer Book, 1655, No. 78.

At the Court at Tindwall, holden at St. John's Chappell, within the parish of K. K. German, in the Isle of Mann, 24 Junij, Anno dni 1655.¹

Whereas in every well governed Comon-wealth such wholesome Orders, Acts, and Lawes are prepared, ordained, and enacted by the magistrates thereof, as they apprehend most necessary and requisite to be putt in operation from time to time. Wee the Governor, officers, and 24 Keys of the Isle whose names are subscribed, have ordained, enacted and at this Court of Tinwald caused to be published the ensuing Orders, to be henceforth with the approbation of the Lord of the Isle, observed and executed for law in this Island.

1. First. Whereas it is observed at the Comon law Courts of this Isle that there are manie actions entered between ptie and ptie for small trespasses and frivolous matters, rather out of an envious and turbulent spirit, than for any just cause of complaint, to the trouble both of the Court and Jurors, which manner of accons the Plaintiff oft times fayles to prosecute, by becoming friends with the Defendant or houlding such accons not worth the prosecuting, or els his own conscience not suffering him to swear any damage upon the like matters, whereby many accons still remain unanswered in the books and no fyne estreated for the lord. It is therefore hereby ordered and enacted that if the Plaintiff after the appearance of the Defendant to such accons, faile to prosecute the same either at the Court where thos accons are putt to a jury, or at the next Court after at the furmost. That in that case it shall and may be lawful for the Court to cast every such plaintiff in his or their owne plea, and to charge the usual fyne of vjd. unto the lord of the Isle, onlie leavinge the plaintiff at liberty to comence a new accon if he please at the followinge Court. Provided nevertheless that sickness or some other lawful cause do not hinder the plaintiff from prosecuting by the time afforesaid, and the same made manifest to the Court.

2. Item. Whereas oft times upon the verdict of a jury the ptie aggrieved is accustomed to traverse that verdict which may deffer to enter till either the adverse ptie or some of the jury bee deade, and much delay also used by the ptie traversing in ympanelinge of a new jury which all tends to the prejudice and hinderance of the other ptie from the benefit of the former verdict. It is therefore ordered and enacted that hereafter no traverse be accepted of unless the same be entered within the space of three weeks after the former verdict given at furmost. And that in case a traverse be entered within the said time the ptie becoming plaintiff is to prosecute the same with such expedition so as an answer be brought in by the jury within the tyme of six months at the furmost, otherwise it shall be lawful for the Court to non suit the plaint in that traverse and to charge the fyne of lxs. to ye lord's use if there be not just cause to mittigate some pte thereof.

3. Item. It is ordered and enacted that whosoever shall transport any men or women servants out of this Isle without special license first had and procured from the Governor or Deputy Governor of the Island, shall forfeit and be proceeded against in the strictest and severest manner that by law shall or may be instituted for every tyme offendinge, as likewise upon the servant and servants so presuming to do without license if found in the Island, or against such of their goods as shall be remaining in the Isle that may lawfully be seized upon.

4. Item. It is ordered and ordained that for the tryall of tanned leather in this Isle which here is very much abused to the damage and delusion of the inhabitants there be four sufficient persons sworne by the Deemsters or the one of them to examine all tanned leather in the Island before it be cut to use or made sale of, and such leather as they or

About frivolous accons at ye common law.

Court may cast Plaintiff not proceeding with suit and impose fine of 6d.

About entringe traverses.

Traverse to be entered within 3 weeks after verdict.

And to be closed within six months, otherwise appellant to be fined 60s.

About transporting servants.

Servants not to be sent out of the Island without special licence.

Concerninge tanned leather.

Jury of 4 to be appointed to examine all tanned leather.

¹ This and the following Act were passed during the usurped government of Thomas Lord Fairfax, and therefore after the Restoration were not recognised as of any validity. They appear to have been the only Acts passed by the said government. They are inserted here both as showing the mode of legislation at the time and as this Act is expressly referred to in an Act of Tinwald of 1665, by which it is declared "to be reputed "invalid and cancelled for the future." The ancient mode of promulgation on the Tinwald Hill seems to have been dispensed with.

The "Wills Court" referred to in section 6 of this Act appears to have been established in lieu of the Ecclesiastical Court by the executive authority merely. The Judges of the Wills Court were commonly designated "Willers."

If approved,
leather to be
marked.

Unstamped
leather may
be seized.

Penalty for
stamping
leather not
properly
tanned.

Concerning
Marriages.
No Marriages
to be solemn-
ized without
Licence from
Governor, or
banns.

Penalty.

Concerning
the Will
Court.

Officers of
Wills Court
to go four
times a year
for probate of
Wills &c.

Inventory to
be exhibited
before pro-
bate granted.

Penalty.

Fees to
Officers of
Wills Court.

Courts to be
held in
Parish
Churches &c.

For cutting
grass &c.
without leave.

Offenders to
be fined if
able to pay
fine, if not, to
be whipped
&c.

Concerning
men and
women ser-

any of them shall find to be sufficiently wrought and marchandable to sett a stamp or mark thereon of the three leggs of Mann with the letters T. F. to the same and to have the fee of a half penny for every hyde that shall be so marked or stamped. And if it appear that any leather shall be made sale of without the approbacion of the said foure men or any of one of them as aforesaid the same to be ceized upon and forfeited the one half to the use of the Lord of the Isle and the other half to the partie or parties that informs the same. And if it be proved that the said foure men or any of them do stamp or mark leather not thoroughly tanned or unmerchantable to be for the first offence severely punished, and the second tyme to be proceeded against as in the case of purjrie.

5. Item. Whereas certain Clandestine Marriages are used in this Isle whereby some that are inheretors and heyeres of tenem^{ts}, are allured and intised without the privitie or consent of parents, guardians or friends, whereby many debates, differences, and discontents oftentimes arise. It is therefore ordered and enacted for the future that there be no marriage solemnized without special License had or procured from the Governor or deputy governor of the Isle or that there be three Sundays bannes solemnly asked and given before the congregation in the parish church or churches where the said parties do live and inhabit. And if any parson or Minister do act or proceede in matrimony contrary to this Order he or they so offending to be proceeded against according to the discretion of the Governor and officers of the said Isle.

6. Item. It is considered meete and so hereby Ordered and enacted. That the Officers of the Will-Court do go their circuits four times in the year at the least and oftener if there be cause for it to keepe their Courts in the several sheadings of the Isle for the probat of Wills and whatever things belong to their places. And that both the judges be together at the keeping of those Courts unless sickness or other lawful occasion do hinder or lett the same, and also the Register or Registers of the said Court for the recording of the Acts and proceedings to be likewise present. And it is further Ordered for the avoyding of severall inconveniences that may ensue that the said Officers shall prove no Will or make decree before a perfect Inventory be exhibited and sufficient Security taken therein according to law and accustomed maner and if any executor or other person concerned be refractory, dillitory, or neglective, in the performance hereof the Officers of the said Court are to proceed against them after the strictest and speediest manner that the Law in such cases provides, that orphans, creditors, and others chiefly in such cases concerned may not be prejudiced or dampnified in their just rights and demands. And it is provided that there be no more or other fees taken by the Officers and Registers of the said Court than is of right authorized to be taken upon the paine and penalty that may ensue. And it is likewise Ordered that the said Courts be holden and kept every circuit at one of the Parish Churches within the sheading or in some convenient place of the Sheading when it shall be most fitt and commendable for the said Officers to sitt for the better expedition and dispatch of the people's business.

7. Item. Whereas it is much complayned of that divers persons as servants and children do presume from time to time to cutt grass in the Corne and Meadows of the farmers of this Isle without any manner of leave for the same. It is ordered that as often as such persons shall be found to offend in that kinde hereafter and be of ability shall pay a fine to the Lord besides reperacon to the partie or Farmer offended or to be punished at the Governor's discrecon, and if it be a poore person that so offends, or that they be children, such to be whipped or otherwise punished at the discrecon of the Governor for every offence committed by them in the fore-said maner.

8. For the avoyding of severall Controversies and complaints that heretofore have been observed and daylie do happen and arise about men and women servants. It is hereby ordered and enacted that all such servants as do not give lawful warning to their master or mistress on Michās and Lady day and afterward hire with any other persons, That the hiring so made shall not stand effectuell but be reputed invallid in case the old master or mistress be aminded to retain and have the same servant or servants to their own use for the same year.

9. Item. Where servants do hire with two severall masters or mistresses it is ordered that the master or mistress first hiring shall have the service and the other the wages of such servants for that year. And it is ordered that the wages which shall be paid in this case is the same that were agreed upon by the first master which he is to pay quarterly unto the other, so secondarily hiring, if he at such times demand the same.

10. Item. If any manner of servant doe hire oftener than twice as aforesaid such servants are to endure exemplarie punishment by being whipped at the parish Church where he or she lyved on the Sabbath day or on some Markett day at the Markett place in the whipping stocks or otherwise to be ymprisoned at the discretion of the Governor and to have for allowance but one cake of bread and a quantity of water every day during the time of ymprisonment and nevertheless the said servant to do service afterwards to the master which first hired and the wages to be paid and distributed according to the discrecon of the Governor and Deemsters or either or any of them.

11. And it is also ordered that servants which are willful and refractorie to do their service to their lawful masters shall be proceeded against by ymprisonment according to the Governor's pleasure or until such tyme as the said servant do yeald to perform his or her service, and during the tyme or ymprisonmt to have for allowance but one cake a day and a quantity of water as aforesaid.

12. Item. That servants hyringe betwixt Allhallowtide and Michās and betwixt Lady day and May day shall be reputed and taken to be as lawful as the hyre made on the said Alhallowday or May day, provided that such servants so hyreinge to give lawful warning on usual day before so that it is to be understood that the earnest taken on either of the said days shall be reputed invallid to the hyre or earnest taken before as afore is expressed.

13. Item. That servants giving warning to their Master or Mistress at any tyme of the day on Michās and Lady day shall be accounted lawful and authenticke. And that in case the Master or Mistress be absent from home the servants warning given in the house at the usual place where the Master or Mistress did usually sitt to meate shall be reputed lawful, the said servants havinge one witness or more with him or her to testifie the same. And it is also ordered that no contract or hyre made before the day of warning shall stand good but the same to be made null and voide upon complaint and proof made.

14. Item. That all ministers shall have their bridge and staff according as is specified in the Statute, for the better clearing whereof it is declared that any servant whether man or woman that is lawfully hyred with any minister, shall not be taken from them by any second hyringe, yarding or Jury of Servants.

15. Item. If any Jury for servants do proceed or give answer in making servants otherwise than hereby is declared or as the Law provides that their Verdict shall be reputed invalid and themselves to be and come within the compass of perjurie if it appear or be apprehended the same to be done willfully by them and to that end they are to observe these particulars viz. that no person lawfully hyred be made by the said Jury to any other person without manifest necessitie for it, which first is to be made known to the Governor and Deemsters or either of them before the Jury's Verdict do proceed that so order may be given as there shall be just and lawful cause for the same.

16. Item. That old decrepitt and sick persons shall have the benefitt of one of their children which they like best and if there be but one child the parents in like manner to have the same to look unto them for their better support releefe and lyvlihood and that such child shall not be taken from them by any Jury of Servants or other charge unless there appear very just and lawful ground for the same and it made known to the Governor or Deemsters or either of them as aforesaid.

17. Item. It is ordered that Jurys for Servants be ympanelled at all tymes in the year as oft as there will be just cause for it and that the vagrant servants by them found be made liable and put to service or otherwise to suffer punishment until such tyme as he or she be willing to perform their service as abovesaid. And that the days of St. Catherine in Winter for men servants and St. Collums in Sumer for women Servants be no hinderance thereunto to be observed as heretofore.

Whereas there has been a Complaint of the taking of men's children to serve to the prejudice of their parents, therefore I think it fitt that it shall not be in the power of any of what degree or qualitie soever to compel or take any man's Sone or Daughter to serve them without the free consent and lycense of their parents. Provided it is not hereby intended that any shall keep their children from service that are not in a capacity of themselves to maintaine or employ them in their owne service.¹

Mat. Cadwell.

John Christian.

Will. Christian.

Willm. Qualtrough.

Rich. Tyldesley.

Hugh Moore.

John Cæsar.

William Tyldesley,

Jo. Norris,

Tho. Norris,

Hen. Waterson,

William Cloage,

Thos. Ratcliffe,

Henry Moore,

Dollin Clarke,

Thos. Caine,

Willm. Stevenson,

Sam. Radcliffe.

Rich. Stevenson,
Ed. Christian,
Ewan Curghey,
Robt. Quaille,
Thos. Fletcher,
William Quaille,
William Standish,
John Teare,
To. Caine,
Jo. Garrett,
Thomas Bankes,
Tho. Moore,

Servants to give notice before quitting service.

In case of Servant hiring to 2 Masters, one Master to have service the other the wages.

Servants hiring more than twice to be whipped, &c.

Willful and refractory Servants to be imprisoned, &c.

Time of hiring.

Mode of giving notice.

Ministers' Servants.

Proceedings of Jury for Servants.

Old and decrepit persons to have "choice children."

Vagrant Servants to be put to service by Jury for Servants otherwise to be punished.

¹ In the original this clause is inserted in the margin of sec. 16.

I have perused these Orders and doo approve of and confirm them for Law to be observed in the said Isle of Mann.

Given under my hand at Nün Appleton the 14th day of August 1655.

THO. FAIRFAX.

From the Exchequer Book, 1656. No. 8.

At Castletown, . . . 16 (1).

Act as to
fencing
lands.

Whereas by a certain Statute used in this Isle every the Tenants thereof are to fence the grounds from Lady-day in Lent till Michaelmas day after and that the goods trespassing in that time should be ympounded and the owner to have his relief by Action at Common Law. And further that every one that pleaseth may keep their lands severally at all times in the year making sufficient fences as the Law provides and this by a second Order also inserted in the Book of Statutes.

Lands to be
fenced from
Michaelmas
to Allhallow
day.

1. Now upon good consideration had that the Farmers and Tenants of this Isle cannot have ined their harvest at Michaelmas aforesaid, nor, some years, of many days after the season of the year so falling out, and in that respect the greatest benefit of their eddish is to be had and made, &c. It is therefore thought fit and reasonable (being a business relating to the general good) and accordingly hereby ordered made and declared for a Law to be observed and kept in this Island. That all and every the Farmers and Inhabitants thereof, shall make and keep, or cause to be made and kept their Fences and Ditches from the xxixth day of Sept. being Michaelmas Day as aforesaid until Allhallow Day afterwards, and also have and keep out their hyrdes for the hyrdings of their Beasts and Cattle in like manner to all intents and purposes as they are enjoined or ought to do by the former Statutes between Lady-day and Michaelmas aforementioned.

Impounding.

2. And that the same or like course be holden against goods trespassing by ympounding and the same relief to be had by the partie or parties aggrieved by Action, view, and order of neighbours and the like as was and is limited mentioned and intended by the said former Statutes.

This order
not to affect
former Act.

3. And it is declared that the Order and Act now made is in no way oppougne or against the above recited second Order in the Book of Statutes, that every one that pleaseth may keep their lands severally at all times in the year making sufficient Hedges or Fenes as the Law provides, but that the same order do remain, be, and continue in full force according to the purport and time of the same.

Sheep and
goat skins.

4. And for the better preventing of the abuse that is committed in this Isle by such as use to sell and buy sheep, mutton, goat, kid, and lamb skins, which not only is a prejudice to tradesmen and a hindrance to the Lord in his Customs, such comodetyes being oft-time covertly conveyed and transported, but persons of ill dispositions much encouraged to pilfer and steal the skins being bought from them in such private manner that the marks of the same is not discovered or known nor any notice taken thereof.

Not to be
sold, &c. un-
less first ex-
amined as to
marks by
coroner, &c.

It is therefore hereby ordered that there be no such skin hereafter bought, sold, chap-ped, or exchanged for, before the skin or skins be first viewed by the Captain of the Parish and Coroner of the Sheading and Moar of the Parish or any of them who are to enform themselves the best manner they can, whether that the same skins be of the right mark of the goods of the party that intends to sell the same.

Skins ex-
ported with-
out License
may be
seized.

5. And if they or any of them suffer any skin to be dishonestly come by they are to deteyne and keep the same until they be better satisfyed and trial made of the truth thereof, and if it be found or known that skins are transported or about to be transported without License that such skin be seized upon, and information given of the same by the said men or any of them, that the party offending may be proceeded against according as the Law provides.

Penalty for
selling skins
contrary to
Act.

6. And whosoever shall sell or buy, chapp, or exchange skins contrary to this order and is discovered and proved such skins is to be seized upon and forfeited the one half

¹ The Date appears to have been cut off in binding of the Original. From the fact, however, that this Act is bound up in the Exchequer Book between two other documents dated January, 1655, it is probable that it was passed in that month. See note on p. 107.

to the Lord of the Isle and the other half to the party or parties that informs the the same.

Matt. Cadwell,
Will. Christian,
John Christian,
Wm. Qualtrough,
Richd. Tyldesley.

Richd. Stevenson,
Wm. Standish,
Robt. Quaile
Geo. Bancks,
Jo. Ganett,
Thom. Waterson,
Willm. Cloage,
Dollin Clarke,
Wm. Gawne,
Tho. Moore,

Ew. Curghey,
Tho. Radcliffe,
John Norries,
Henry Moore,
Ed. Christian,
Tho. Norrie,
Thos. Fletcher,
Wm. Quaile,
Jo. Teare,
Jo. Caine,
Sam. Radcliffe.

~~~~~  
*From the Exchequer Book, 1661.—No. 37.*

*At the Court of Tinwald,*

*Holden at St. John's Chappell within the Parish of Kirk German, in the Isle of Mann, the 24th of June, 1661, beford Richard Stevenson, Esquire, Deputy Governor of the Isle, the Deemsters, Officers, and 24 Keyes, the Representative Body of the said Isle :*

Certain necessary Orders enacted and published at the said Court, for the better Observance thereof, as followeth :—

1. First, Whereas by a certain Statute enacted Anno 1637, all Manner of Debts without Action upon Specialty to be sued and acconed for within the Space of three Yeares, and not recoverable afterwards : And forasmuch as that Member of the said Statute is dissonant with the Manner and Custome of dealing in this Isle, touching Debts grounded upon lending, dealing betwixt Neighbours for Commodities or Contracts of any Nature without Spetialty, and which redound to great Damage and Prejudice to many of the Inhabitants, if the same should continue of Force according to the Letter thereof ; therefore it is published, That no Manner of Person or Persons shall have any Benefitt by that Member of the said Statute upon any Accon or Suite touching Debts and Demands without Spetialty, as therein and thereby is expressed and mentioned, until the Right Honourable the Lord of the Isle be acquainted therewith, to give his Honour's Consent for the repealing of the same, as there shall be just Cause for it.<sup>1</sup>

2. Itm. Forasmuch as touching the Payment of Corbes Corbes. in this Isle, there is a Customary Law, and also an enacted Statute made in 1629, contradictory one to the other, which occasions sometimes Differences in Point of Law, and also between Party and Party ; therefore it is this Day published, That the Customary Law afforesaid shall cease, and no Execution to be given according to that Practice ; and that

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<sup>1</sup> Repealed by Act of 1738.

the said Statute of 1629 touching Corbes shall stand of Force and Effect, and that accordingly Execution shall be granted; and this to continue untill further Order or Act be made and declared herein.

Turf and  
Ling.

3. Itm. It is ordered and declared, That no Manner of Person or Persons shall presume to go to the Mountains or Commons of this Isle after the Hour of Five of the Clock in the Afternoon, or before Day in the Morning, for the carrying of any Turff or Ling; for that Complaint hath been made, that some Persons do frequent that Course, and espetially upon Dayes of haddy or dark Mist, and do purloyne and carry away Neighbours Turff and Ling at such unreasonable Times; wherein if any do offend for the future, they shall be severely fined and punished, as by the Court shall be thought fitt.

Provoking  
words.

4. Itm. For the Prevention of the frequent Complaints touching Batteries and passionate Words provokeing the same, it is likewise ordered and declared, That as often as any such Complaints shall hereafter be made, and the Party accused will be evicted by lawfull Proof, by apparent Wounds, Bloodshed, or Confession, such Persons, for their violent Stroakes, Batterie, unhumane and evill Usage, shall (besides Punishment and Charges of Cure) be fined in xs. to the Lord's Use for every Time offending in that Nature; and such Persons as shall be accused, and Proofs had against them as before, for upbraiding and provoking Language and invetterate Speeches, causeing, or that might cause such Battery, wounding, or violent Stroakes or Usage, to be fined also in xij*s.* iij*d.* to the Lord's Use, besides Imprisonment.<sup>1</sup>

Battery.

Rich. Stevenson,  
John Christian,  
Richard Tyldeslay,

Tho. Norris,  
Richard Callcott,  
Hugh Cannell.

Ed. Christian,  
Ew. Curghey,  
Sam. Radcliff,  
Ro. Quayle,  
William Quayle,  
Tho. Bancks,  
John Teare,  
John Cain,  
Robert Stevenson,  
Tho. Moore,

Jo. Garrett,  
Jo. Standish,  
Jon. Lacey,  
John Norris,  
Tho. Radcliff,  
William Gawne,  
Tho. Fletcher,  
William Curlett,  
Cha. Stanley,  
James Moore.

<sup>1</sup> Fines increased by Criminal Code of 1817.

<sup>2</sup> Repealed by Justices Act of 1836, sec. 8.

*From the Exchequer Book, 1662.—No. 70.*

*At the General Court,*

*Holden at St. John's Chappell, in the Parish of Kirk German, the 24th Day of June 1662, before the Right Worshipfull Roger Nowell, Esq. Governor of the Isle of Mann, and before the Councell of the said Isle, the Deemsters, and twenty-four Keyes, the Representative Body of the said Isle, it is ordered, ordained, and enacted, as followeth :*

1. First, It is ordered, ordained, and enacted, That if any Person [or Persons shall frequently use to make a Path-way through their Neighbours' Meddows, Corne, and Grass, in the Summer and Harvest Season, to the Prejudice of the Tennant, and bad Example to others, and the same presented upon Oath by the Farmer, or any his Servants or others, before the Governor, or either of the Deemsters, shall be punished at their Discretion; or if they be of Abillity, to be fined by the Court; and the same Course to be held against such as cutt any Man's Meddows, Corne, or Grass, as is frequently used.<sup>1</sup>

Trespass  
not permitted  
in Summer  
or Harvest.

2. Itm. That the Coroners of this Isle, who for many Yeares past, by some favourable Permission, and no Customary Law, by Statute have had the Benefit of yarding of three Servants within their Sheading, to the Aggrievance of the Country, shall for the future have but the Benefit of one yarded Servant within their Sheading, after that the Deemsters and Moars are served for theirs; and it is ordered, ordained, and enacted, That the Servants yarded for the Deemsters and Moars and Coroners, shall be proclaimed and made known at the Parish Church or Cross where such Servants then resides, the Sunday next after the Days of Warning between the Farmers and Servants, viz. Michaelmas Day and Lady Day in Lent, or the seacond Sunday after at the furmost, whereby the Farmer may timelyer know the same, and may with more Security and Conveniency provide himself of other Servants; otherwise, in Default of such Notice the said Officer or Officers soe neglecting not to have the Benefitt of such yarded Servant for that Yeare, but to be at Liberty to serve where he or she pleaseth; and that from the 24 Keyes their Household hired Servant shall not be taken from them by any Yarding.<sup>2</sup>

Yarding Ser-  
vants.

3. Itm. That any Man Servant or Maid Servant that shall serve any of the said Officers for one Yeare by way of Yarding, shall for four Years after be freed from such (by-past) too much Injunction and Bondage, and be at Liberty for the said Terme to serve upon Hyre wheresoever they please within the Isle.<sup>2</sup>

4. Itm. That for the avoiding of Differences and In-conveniences touching choice Children, which have been formerly ordered and provided for, to old decripitt Persons and others, it is further ordered, ordained, and declared, That such Persons as shall intend to have the Benefitt of a choice Child, that he or she do enter them with the Comptroller a Quarter of a Yeare, or at least one Month before the Dayes of Warning at Michaelmas and Lady Day in Lent, and bring a Copy of such Entry, and publish it in the Parish Church, or at the Cross there, in Audience of the People, the Sunday next before such Warning Dayes, or the Sunday next after at the furthest, that neither the Deemsters, Moares, Coroners, or the Farmers, may not be disappointed by expecting or depending on such a choice

Choice Child.

<sup>1</sup> Repealed by Summary Jurisdiction Act, 1864, Sec. 8.

<sup>2</sup> Repealed temporarily by Statute of 1748, Chap. 4, and absolutely by Statute of 1777, Chap. 1.

Child ; and that in Default thereof by the Parents, or some Friend in their Behalf, they shall loose the Benefitt of their choice Child for that Yeare ; and if it chance that the said choice Child doe die at any Time within the Yeare, after such Entry made and Notice given, the Parents are nevertheless to have the Benefitt of another Child, if they have any living with them, and the same not to be taken from them by any Jury of Servants, or otherwise.

Purchased  
Quarter  
Lands to  
descend to  
eldest Son or  
Daughter,  
paying price  
to younger  
Children.

5. Itm. That if any Tennant buy any Quarter Land, and happen to die intestate before he dispose of such Lands, it is ordered, ordained, and enacted, That in such Case those Lands shall descend, fall, and come to the eldest Son, and in Default thereof, to the eldest Daughter ; or in Default of both to the next of Kindred ; they nevertheless repaying the Consideration formerly paid for the said Land, or the Value thereof, unto the rest of the Children unmarried or unprovided for, or to the Administrators where there is no Children ;<sup>1</sup> provided, that if the Deceadent make a Will thereof, itt to be observed ; or if his real Intention touching the disposing or bequeathing of such bought Grounds be apparent and lawfully proved by sufficient Witnesses, and he or she die intestate, that Intention nevertheless to be observed, according to the judicious Consideration of the Court.<sup>2</sup>

Limitation of  
Title not to  
extend to  
Infant, Feme  
Covert, Lu-  
natic, or Per-  
son beyond  
Sea, if Suit  
brought  
within two  
Years after  
removal of  
disability.

6. Itm. In respect of that Statute, limitting all Manner of Persons to sue for Title and Claime for their Interest in Lands and Tenements, Milns, Cottages, Intacks and Houses, within xxj Years next after their Title shall first decend, come, or fall, otherwise that they and their Successors to be utterly excluded and barred from making any Title and Claime thereunto for ever, itt is apprehended that great Prejudice and Inconveniences may and will arise to Infants, Persons under Coverture, beyond Seas, imprisoned, and the like ; it is hereby therefore ordered, ordained, declared, and enacted, That notwithstanding the Limitation of Terme by the said Statute, it be provided, and it is hereby provided, ordained, and declared, That if any Person or Persons that is or shall be entitled, or at the Time of the said Right first descended, accrewed, come, or falne, be within the Age of twenty-one Yeares, under Coverture, not of sound Mind, imprisoned, or beyond the Seas, or have any other lawfull Impediment, that then such Person or Persons, and their Heirs, shall and may, notwithstanding the said twenty-one Yeares be expired and run up, bring his Plaint, make his Title, sue his Right and Demand, as such Persons might have done before the Expiration of the said twenty-one Years, soe as nevertheless such Person or Persons, or their Heirs, do, within the Space of two Years

*Repealed  
as to interest of  
Wife in Estate of  
her Husband by  
Statute of 1777,  
Chap. 13.  
291.  
Sec 4*

<sup>1</sup> Repealed as to interest of Wife in Estate of her Husband by Statute of 1777, Chap. 13.

<sup>2</sup> Nuncupative Wills regulated by Statute of 1777, Chap. 12. Repealed by Wills Act, 1869, Sec. 26.

next after their full Age, Discoverture, coming of sound Mind, Enlargement out of Prison, or free of their lawful Impediment, or coming into this Isle, take the Benefitt of, sue, and pursue the same, and at no Time after the said two years be determined and expired.

Rodger Nowell,  
John Christian,  
Richard Stevenson,  
Richard Tyldesley,

Tho. Norris,  
Richard Calcott,  
Hugh Cannell.

Ed. Christian,  
Tho. Fletcher,  
Robert Callcott,  
Tho. Bancks,  
Robert Quayle,  
John Garret,  
Cha. Stanley,  
Tho. Moore,  
Will. Quayle,  
Rich. Stevenson,  
James Moore,

Tho. Cayne,  
John Standish,  
Dollin Clark,  
John Lace,  
John Norris,  
Tho. Casement,  
John Fargher,  
Will. Curleod,  
John Cayne,  
Ew. Curghey,  
Tho. Radcliffe.

## CHAPTER I.

### *At a Court of Tinwald,*

*Holden at St. John's Chappell within the Parish of Kirk German, in the Isle of Mann, the xxiiijth Day of June, in the Year 1664, before the Right Reverend Father in God Isaac Lord Bishop of Sodor and Mann, and Governor of the said Isle; Henry Nowell, Esquire, Deputy Governor of the same under his Lordship; and before the Officers, Deemsters, and the 24 Keyes, the Representative Body of the said Isle: These ensuing Orders, Acts, and Statutes, were ordained, enacted, and proclaimed, as wholesome Lawes to be observed in this Island in future:*

It being observed some Yeares past that many Complaints Servants. did arise touching Men and Women Servants within this Isle, there were certain Acts and Orders prepared, ordained, and providen in that Behalfe, as appears in the Exchequer Book for the Year 1655, which being in the Time of the late usurped Government, the same Acts and Orders are now revised, rescribed, and enlarged with the Stile of this Court of Tynwald, now holden under the Right Honourable Charles Earle of Derby, Lord of Mann and the Isles, the



Acts of 1655  
repealed.

true and undoubted Lord and Patron of the same Isle, and the said former Acts of 1655 to be reputed invalid and cancelled for the future, and these now made to be the true and only Records and Statutes, as followeth :

Fine for not  
prosecuting  
Actions.

1. First, Whereas it is observed at the Common Law Courts of this Isle, that there are many Accions entered between Party and Party for triviall small Matters, rather out of an envious and turbulent Spiritt than for any just Cause of Complaint, to the trouble of both the Court and the Jurors ; which Manner of Actions the Plaintiff oftentimes fayles to prosecute, by becoming Friends with the Defendant, or not holding such Accions worth the prosecuting, els his own Conscience not suffering him to swear any Damage upon the like Matters, by reason whereof many Actions happen to be unanswered, or without any Verdict in the Books, and without any Fine estreated for the Lord, as by his Honour's Prerogative is due ; it is therefore hereby ordered and enacted, That if the Plaintiff (after the answering of the Defendant to such Accions) faile to prosecute the same, either at the Court wherein those Accions are putt to a Jury, or the next Exchequer Court to be holden at the furmost, that then and in that Case it shall and may be lawful for the Court (the Plaintiff soe failing as aforesaid) to cast every such Complainant or Plaintiff in their own Pleas, and to charge the usuall Fine for the Lord's Use, provided that Sicknesse, or some other lawful Cause or Impediment, do not hinder or let the Plaintiff from prosecuting at the said Courts, which is to be proved and made manifest by sufficient Testimony ; in which Case it shall lye in the Discretion of the Governor, Deputy, and Deemsters, or either or any of them, to give further Respite of Time to the Plaintiff for prosecuting ; els, if cast in his Pleas as afforesaid, to grant a new Comencement of the Accion at the next Court, and at no Time after the next Court, and for the bringing in of the Jury's Verdict at the same Court ; and this to be the Course of Termination of such Accions, except the Deemsters see sufficient Cause to allow the Party grieved the Benefitt of a Traverse Jury.

Traverse to  
be entered in  
21 Days after  
Verdict.

2. Itm. Whereas oft Times, upon the Verdict of a Jury, the Party aggrieved is accustomed to traverse that Verdict, which many deferr to enter till either the adverse Party, or some of the Jury be dead, and also after that the Traverse is entered, yet great Delays used in the impannelling of a new Jury, and in the Prosecution thereof ; all which tends not only to the great Trouble of the Court and the Tenants, and of the Delay of Justice, but also of the Hindrance and

Losse of the other Party, from having the Benefitt of the former Verdict in a convenient Time; it is therefore ordered, ordained, and enacted, and be it hereby enacted, ordered, and ordained, That hereafter noe Traverse be accepted off, unless the same be entered within the Space of xxj Days after the giving in of the former Verdict; and that after a Traverse is entered within the said limited Time, the Party becoming Plaintiff is hereby bound to prosecute the same effectually, and with such Expedition, as that Answer be brought in by the Traverse Jury within the Time and Space of six Months at the furmost after the entering of the Traverse as aforesaid, otherwise in Default thereof it shall be lawfull for the Court to nonsuit the Plaintiff upon that Traverse, and so to charge the Fine of lxs. to the Lord's Use, if there appear not just Cause to the Court, in respect of the Plaintiff's Poverty, or other lawfull Reason, to mitigate the Fine aforesaid; provided nevertheless, if it do happen that the Verdict of the Traverse Jury be not brought within the limited Time of six Months as aforesaid, and that it doth appear that the same fell out upon some extraordinary Oecasion, either in respect of Sickness, Insanitie, or other lawfull Impediment, then and in such Cases it shall and may be lawfull for the Governor, the Deemsters, or either of them, to grant a further Respitt of Time at Discretion; and this Rule to be held in the Course of every Degree of Traverses, as the same falls out, according to the Order of the Law and Custome of this Isle.

3. Itm. It is hereby ordered and enacted in Observance of former antient Statutes and Orders within this Isle, That whosoever shall transport any Person or Persons inhabiting within this Isle, and in particular Men and Women Servants, or young Persons, without spetiall Lycence first had and obtained from the Governor of this Isle, shall for every Time soe offending be proceeded against and forfeit as by the ancient Law and Statutes of this Isle is already declared and provided; and such Servant or Servants, or young Persons, presumeing to transport themselves out of the Isle without such Leave or Lycence, shall be proceeded against either in Person or Goods, or both, at the Discretion of the Governor and Officers of this Isle.<sup>1</sup> Servants. 1

4. Itm. It is ordered and ordained, That for the Tryall of tanned Leather within this Isle, which is very much abused by being slightly and insufficiently wrought or undertaken by unskilfull Workmen not well experienced in that Trade, whereby the Island is disparaged, and the Inhabitants greatly damnified and deluded, there be therefore four sufficient Persons skillfull in the Tryall and Discerning of the Goodness of such Leather, sworn by the Deemsters, or the one of them, in the four Quarters of this Isle, viz. one in or about Peeltown, another at Ramsey, another at Douglas, and the fourth at Castletown, to examine and try all Leather to be stamped before Sale.

<sup>1</sup> Repealed by Act of 1737, Sec. 9.

Forfeited in  
Default of  
Stamp.

Leather tanned within this Isle before it be put to Sayle, or made use of; and such Leather as any of the said Persons within their own Quarters shall find to be in their Judgments sufficiently wrought, tanned, and merchantable, to set a Stampe or Mark thereon of the three Leggs of Man, (the Arms of this Isle,) with the Letters C. D. to the same, and so such stamped or marked Leather to be vendible and merchantable; and for the said Persons Care, Diligence, and true Dealing herein, they are to have (every one in his own Quarter) the Fee of an Halfpenny for every Hide that shall be so marked or stamped. And it is likewise ordered, That if any tanned Leather shall be made Sayle of, or used without the Approbation of the said Persons as aforesaid, and without the said Mark or Stamp thereon, then such Leather to be seized upon and forfeited, the one Half to the Use of the Lord of the Isle, which the Attorney, upon Notice given, is to take care of for his Lordship's Advantage, and the other Half to be to the Use of the Party or Partys informing the using or making Sayle of such unstamped or unmarked Leather. And it is further ordered and provided, That if it be proved that the said four Men, or any of them, shall stamp or mark Leather, not thorowly tanned and to be unmerchantable, the same Person or Persons soe offending and proved against is for the first Time to be severely punished, the seacond Time to be both fined and punished, and for the third Offence to be proceeded against as in the Case of Perjury.

Trespass.

5. Itm. Whereas it is much complained off, that not only Children, Servants, Cotlers, and Intack houlders, do frequently cutt Grass in the Corne and Meddows of the Farmers next adjacent, and digg, pull, and carry away Ling and Turff in some Persons rented Commons without any Manner of leave for the same, and digg and take away Timber in and out of the Curraughes on the North Side, and sometimes do cutt Corne with the Grass, and carry the same away for their Cattle, Horses, or such like Use, but also many of the Farmers themselves, and other Persons, out of an unconscionable Neighbourhood, doe presume, as is often complained against, to putt their Cattle and Horses in their Neighbour's Corne and Grass in the Night Time, and take them away again before the Morning, as hath been many Times discovered; it is therefore ordered, That as often as any of the said Persons shall be found to offend in that Kind hereafter, and be thereof lawfully convicted by sufficient or probable Testimonie, shall be proceeded against as followeth, to wit, Such as be of Abillitie shall be fined to the Lord, or be punished as the Nature of the Offence shall demeritt, at the Discretion of the Governor and Officers, and further lyable to make Satisfaction to the Farmer or Party aggrieved by the Course of the Common Law of the Isle; and it is declared hereby, that the Evidence, or other Proof taken by and before the Governor or Deemsters, shall be sufficient for the Jury at Common Law to make reasonable Damages to the said Party grieved for the Trespass laid to the Offender's charge, which is left to be made and recovered in that Course of Law; except the Trespass be viewed and valued by Neighbours, as by former Orders is provided, then Satisfaction to be made according to the Provision of Law declared in that Behalf: And it is further ordered, That if they be Children or poor Persons that offend in Manner as aforesaid, that such be whipped, or otherwise punished at the Dis-

Action for  
Trespass.

<sup>1</sup> Repealed temporarily by Statute of 1748, Chap. 2, and absolutely by Statute of 1753, Chap. 8.

cretion of the Governor and Officers, according to their Condition and Age, for every Time so offending as aforesaid. Children trespassing to be whipped. Servants to give Notice.

6. Itm. For the avoiding of the continual Controversies and Complaints that are daily observed to happen and arise about Men and Women Servants, it is hereby ordered and enacted; First, That all such Servants as do not give lawful Warning to their Masters and Mistresses, to wit, Men Servants on Michaelmas Day, and Woman Servants on our Lady Day, in every Year, and yet hire with another Master or Mistress, that the Hireing soe made shall not be effectual in Law, but to be reputed invallid, in case the former Master or Mistress be amended and prosecute to retaine and have the Servant soe neglecting to give Warning as aforesaid, to his or her Use for the same Year.

7. Itm. Seacondly, Whereas Complaints doe arise touching Servants which either ignorantly, wilfully, or by Persuasion, or upon any other Accompt, doe hire with two several Masters or Mistresses, whereby much Differences and Troubles do arise and happen betwixt the Tennants; for the avoiding whereof, it is hereby ordered, and enacted and declared, That the Master or Mistress first hireing lawfully shall have the Service of that Yeare, and the other Master or Mistress soe seacondarily hireing to have only the Wages of such Servants for the same Year. Servants hireing with two Masters forfeit Wages to second.

8. And it is further declared, That the Wages which shall be paid in this Case, is the same that shall be agreed upon betwixt the first Master and the Servant, which the said first Master is quarterly to pay to the other soe seacondarily hireing as aforesaid, or at any other Time when the same shall be demanded from him: Provided it be discovered and proved, that the Master who is to have the Wages as aforesaid do know of the Servant's first Hireing, and yet shall use Means to perswade, intice, and inveigle the poor Servant to a second Hireing, to the End (in all Probability) to have the Wages to satisfy and pay of another Servant which he shall hire, and so beat no Charges of the paying Wages out of his own Estate; and, perhaps, through Subtlety may not hire such other Servant, but obtaines one by the making of a Jury of Servants, (unto whom that Master is not obliged to pay for Wages but according to the Statute in that behalf in Anno 1609,) and soe will receive an advantage to himself out of the former poor Labourer's Wages, who all the Year is work without any Wages, &c.; or if there be but a strong Presumption by Circumstances of the like fraudulent Uses and Save in case of Subtilty.

Courses ; therefore, and in such Cases, as the Servant is to loose his Yeare's Wages by hireing with two Masters as afforesaid, soe the said Master, if it be proved against him to have perswaded, inticed, or inveigled the Servant as afforesaid, is not to have any Benefitt of the said Wages made unto him, but that the same be all reserved for the Use of the said Servant, and at his Dispose for his best Advantage ; and if the Proof be only circumstantiall, and that the Blame partly appears in the Servant as well as the Master, (who ought to enquire and be satisfied with the Truth of the Servant's Condictio before he doe hire him,) then and in such Cases the Year's Wages to be proportioned and allowed as the Governor and Deemsters, or either of them, shall think fitt in Discretion to order the same.

If Master  
and Servant  
both in fault,  
Wages to be  
divided.

Punishment  
for hiring  
more than  
twice.

9. Itm. Thirdly, If any Servant or Servants doe hire oftener in the Year than 'twice as aforesaid, then such Servant or Servants to endure exemplary Punishment by being whipped at the Parish Church where he or she lived, on some Sabbath Day, or in some Markett Place at the Whipping Stocks, or otherwise, (the Servant's Condition and Age considered), to be imprisoned at the Discretion of the Governor and Deemsters, and to have for Allowance but one Cake of Bread and a Proportion of Water each Day during the Time of Imprisonment, and afterwards to do Service to the Master who first lawfully hired him ; and the Wages to be paid and distributed at the Discretion of the Governor or Deemsters, or either of them ; provided if any falacious Dealing shall be discovered against the said second or third Master, either by Proof or circumstantially, as is mentioned in the above Statute titled the Second, then the same to be taken into Consideration before the Servant suffer Punishment, and the Wages to be distributed according to the Discretion afforesaid.

Refractory  
Servants  
punished.

10. Itm. Fourthly, it is also ordered, That Servants who are willfull and refractorie to do their Service to their lawfull Master, that Claime by Hireing, or are made by a Jury of Servants, or by Yarding, shall be punished by Imprisonment as the Governor and Deemsters shall appoint, and soe to continue until the said Servant do yield Obedience, and perform his Service, who for his Allowance is to have but one Cake a Day and a Proportion of Water as afforesaid ; which allowance is to be deducted out of his Wages by the Master, who is to send the said Relief daily unto him, either from himself, or some Friend intrusted in that Behalf ; and likewise the Master to have

Allowance out of the Servant's Wages afforesaid, during the Time of his Imprisonment, for want of his or her Labour, or for to give another in his or her Place for the said Time of Imprisonment, at the Discretion of the Deemster.

11. Itm. Fifthly, That Men Servants betwixt Allhollowtide and Michaelmas, and Maid Servants hiring betwixt Lady Day and May Day, shall be reputed and deemed as lawfull as the Hire made (formerly used) on the said Allhollowtide and May Day only; provided always, that such Servants soe hiring give lawfull Warning on the usual Dayes before mentioned, so that the Ernest given or taken or Hire made on either of the said Dayes, shall be reputed invallid to the Hiring lawfully made between the Festival afforesaid.

12. Itm. Sixthly, That all Men Servants giving Warning to their Masters on Michaelmas Day, and Maid Servants on Lady Day, shall be accounted lawfull and authentick, if it be given between Sun-rise and Sun-sett on those Dayes: And in case the Master or Mistress happen to be from Home on the said Dayes, or do absent themselves in a deceitfull and fraudulent Manner, to the End to take Advantage of the Servant by being not present to hear the Warning, or within hearing in any Part of the House where the Servant may not presume to come; that then and in such Cases the Servant shall take any, either Neighbour or other Servant, that is a competent Witness, with him, and repair to the usuall Place where the Master or Mistress did sitt, at the Hearth or at Meat; or in case the Doors be made against the Servant, then the Servant and Witness to come to the Door where the Master or Mistress usually enter into the Fire-house; and in any of those Places, upon the Occasions afforesaid, give the usuall Warning, and it shall be authentick in Law against the Master or Mistress, in Case of Complaint against that Servant touching Warning; soe likewise if the Servant happen to be Sick, or incapacitated to give Warning in any the Manners as afforesaid, then may he doe the same by his lawfull Proxie, with a sufficient Witness likewise with him, and it shall be reputed authentick as before: And it is also ordered that noe Contract or Hire made before the Dayes of Warning afforesaid shall be any way authentick against the Hire lawfully made in Manner as before-mentioned in the fifth Statute, but that the same may be made null and of no Effect, upon Complaint and Difference arising touching the Hire soe made as afforesaid.

Times for hiring.

Men Servants to give Warning at Michaelmas, Women at Lady Day.

Ministers  
Servants.

**13. Itm.** Seaventhly, That all Ministers in this Isle shall have their Bridge and Staff according as is spetified in the Book of Statutes; for the better understanding whereof, it is declared, That any Servant, whether Man or Woman, that is lawfully hired with any Minister within their own Parish, shall not be taken from them by any second Hireing or Yarding, or by Jury of Servants.

Servants  
hired not to  
be taken  
away.

**14. Itm.** Eighthly, That noe Servant lawfully hired, espetially the Farmer's hired Servant, shall not be taken from them but upon great Necessity, which is first to be made knowne to the Governor and Deemsters, or either of them, before the Jury's Verdict doe proceed, that soe Order may be given therein as there shall be just and lawfull Cause for the same.

Old Person  
to have choice  
Child as  
Servants.

**15. Itm.** Ninthly, That old decrepitt and sick Persons shall have the Benefitt of one of their Children, which they like best, to look to and serve themselves, but not to dispose of them to any other Person, and again to desire or expect to have such a Child when a Jury of Servants do make or intend to make that Child after the find him or her in another Man's Service, be it upon any Pretence whatsoever; provided that such old descrippit and sick Persons do in every Yeare enter the Name of such choice Child according to the former Order made in that Behalf, and give Notice of the same at the Parish Church after Divine Service, that all Persons and Jury of Servants may take notice thereof, and not attempt the having or making of that Child by Jurors, for the avoiding of further Trouble, as oftentimes is occasioned for want of such timely Entry and Notice given as afforesaid.

Vagrant  
Servants to  
be punished.

**16. Itm.** Tenthly, That Juryes for Servants be impannelled all Times in the Yeare as often as there will be just Cause for the same; and that the Vagrant Servants by the said Jurors found be first made liable and put to Service, otherwise to suffer Punishment until they submitt, having for Allowance in that Time as is ordered for refractory Servants: And that the Days of St. Catharine's in Winter for Men Servants, and St. Collumbe's in Summer for Maid Servants, be noe Hindrance thereunto for the future; provided nevertheless, that this Liberty be not granted to any but such as are driven thereunto through manifest Necessity; for that many relying on this Liberty forbear to keep any Servants in the Winter and Summer Season till towards Harvest Time, when Servants are scarcely to be had, and then to the Prejudice of poor People, as Cotlers, Intackholders, Prentices, and the like, who are engaged by Trades,

and giving Shearing for Crofts and Nooks of Ground for the Relief of a poor Family, they are mollested by such negligent Farmers, by endeavouring to compel them to their Service by Juries of Servants, provided therefore that no Man Servant be henceforth made to any by Jurys of Servants, or otherwise but in the Time of Winter, nor a Maid Servant but within a reasonable Time of Summer, except in respect of Death, or other just and lawful Cause or Reason, (and that made known to the Governor and Deemsters) a further Liberty be granted for the same.

17. Itm. Eleventhly, If any Jury for Servants do proceed in making Servants otherwise than hereby is declared and as the Law provides, that their Verdict shall be reputed invalid, and themselves lyable to such Fine and Punishment as the Governor and Officers in their Discretion shall think fit.

Jury for  
Servants to  
proceed law-  
fully.

18. Itm. Lastly, That such Servants as are made by Juries as aforesaid shall have for their Wages according as is provided and sett down in and by the Statute of the Year 1609, as is incerted in the Book of Statutes of this Isle : And as for the frequent Complaint made by Servants soe made by Jurors, to know what Dyett and Usage they ought to have, it is therefore ordered and declared, That such Complaints be henceforth viewed and certified at the Sight of four honest and sufficient Neighbours, who are to be charged to that End by the Coroner or Lockman of the Parish, and Presentment to be made against such as shall disobey ; and the said Neighbours to approve or disapprove of such Dyett and Usage either in the Master's or Servant's Part, as near as may be to the Custom and Condition of the Countrey, or as formerly hath been held and used in that Parish or particular House complained of ; and in case the same be not observed afterwards, but the Servant further occasioned to complaine, then and in that Case the Master is to give in sufficient Security to the Performance for the remaining Part of the Year.

Servants  
Diet.

19. Forasmuch as notwithstanding the severall Orders heretofore made<sup>1</sup> to restrain the Poor of this Isle for ranging and begging from Parish to Parish, they doe nevertheless not observe the same, whereby the said former laudable Orders are neglected, and the Charity of the respective Parishioners not extended and afforded to the Relief of

Vagrant  
Beggars to be  
sent back to  
Parish.

<sup>1</sup> See Order of 24 April 1641.



Refractory  
Beggars to  
be whipped.

their own Poor, as is most expedient to be distributed, it is therefore ordered and ordained at this Court of Tinwald, That the Poor of the Isle shall not range or begg out of their own Parish into any other Parish; wherein if they do offend contrary to this Order, then the Constable, Coroners, or Lockman of such other Parish, is for the first Time to warne and require such Beggars back to their own Parish, which if they neglect and refuse, then are they to be compelled and whipped to their said Parish; and if they continue refractory, and be disobedient, then are they to be brought by any of the said Officers into the next Gaole, there to continue until they declare themselves conformable to this Order; And it is also ordered, That none be relieved as the Poor of any Parish but such as are blind, lame, mayme, or decrepitt in respect of Age, or other Infirmitie; and that all young and sound Persons shall either labour for their Livelihood, or be made to serve by a Jury of Servants, or otherwise to be committed until they submit thereunto; and this Order to be observed from the last Day of this Month, upon the Pain and Penalty contained herein; and if the said Constable, Coroner, or Lockman of any Parish, do neglect their Duty, contrary to what is before expressed, they and every of them so offending and neglecting is, upon Complaint and Proof made, to be fined and punished at the Discretion of the Governor and Officers of this Isle for the Time being.

Isaac Sodor and Mann,  
Henry Nowell,  
Rich. Stevenson,  
Rich. Tyldesley,  
Tho. Norris,

Edw. Christian,  
Hugh Cannell,  
Richard Calcott,  
Will. Qualtrough.

Robert Quaile,  
Cha. Stanley,  
Robert Calcott,  
John Garrett,  
Robert Stevenson,  
John Norris,  
Tho. Moore,  
James Moore,  
Thomas Bancks,  
William Caine,  
John Standish,  
Tho. Casement,

John Fargher,  
John Tubman,  
Ewan Curghey,  
John Moore,  
William Curlett,  
William Christian,  
Thomas Radcliffe,  
Thomas Woods,  
Thomas Caine,  
William Curlett,  
Tho. Huddleston.

These Lawes made and subscribed by my Officers of my Isle of Man, I doe allow and approve off, and give my Assent, that from henceforth they doe become Lawes. Given under my hand at Knowsley this 16th of June 1665.

CHA. DERBY.

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CHAPTER II.

INSULA }  
MONÆ. }

Anno 1665.

*Notwithstanding the several Statutes, Orders, Acts, and Ordinances already contrived, and made at sundry Times for Lawes to be observed and kept within this Isle, Experience (nevertheless) finds it requisite by the Observation of severall Occurrences in the Progression and Transaction of divers Matters, beside what the Necessity of the Times doth require, that further or other Orders and Lawes be enacted, some to be repealed, and other to be enlarged or explained, as the present Government, with the Approbation of the Right Honourable the Lord of this Isle, shall think fit and requisite to be put in Execution.*

We therefore the Right Reverend Isaac Lord Bishop and Governor of this Isle, Henry Nowell Esquire, Deputy Governor, with the Deemsters and Officers of the Lord's Councell, and the 24 Keys, the Representative Body of the said Isle, being convened and assembled, have and do by and with the Approbation and Confirmation of our Honourable Lord as aforesaid, (to which End these Acts are first in all Humbleness proposed,) order, enact, and ordaine, for wholesome Lawes to be observed and executed within this Isle as followeth :

1. First, Forasmuch as it is observed that notwithstanding it be enacted and Law within this Isle, that the Hedges or Fences for Meares and Boundaries betwixt Neighbour and Neighbour should be of the Thickness of a double Hedge, and Four Foot and a Half in Height, and that every Tennant may keep his Grounds in severalty all Times in the Yeare, making sufficient Hedges and Fences, as by the Statutes of the Yeares 1577 and 1583 more at large may appeare ; yet nevertheless the same Lawes and Orders are not observed in most Places of this

Isle by the Tennants and Farmers thereof, insomuch as many Variences and litigious Differences daily happen betwixt Party and Party, occasioning not only mallicious Wranglings and ill Neighbourhood, but being so moved and in Passion aggravate their Judgments to be too forward and pernicious in giving or taking desperate Oathes upon Triviall Matters and of little Moment, both to the Endamaging of the Adverse Party, and the Conscience of him that soe sweareth for small Advantage, and further a great Occasion of Impoverishment to the Tennant by such Losses at Law by Trespass in Corne and Grass, and the impairing of his Stock of Goods and Cattle, by the Want of Winter Pasture, the Tennement lying common and as Wast all the Winter Season without any Fence, contrary to the Rule of good Husbandry in other Countrys and Places; therefore (ayming altogether at the general Good herein) and for Prevention of such Enormitys, Inconveniencys, and Losses, and to the intent that the Farmers and Inhabitants may live more peaceable among themselves, and reap better Advantage of their Estates and Tenements; it is hereby ordered, ordained, and enacted That all and every the Inhabitants, Tennants, and Farmers holding any Lands, Farmes, or Tenements within this Isle, shall in every Yeare, as well against the Winter Time as the Summer and Harvest Season, make sufficient and able Fences, Ditches, or Hedges, as will be of the Heighth and Breadth afforementioned, and Trenches according to the Custome of this Isle for Breadth and Depth in such Places as the same is used, or shall be comodious, or els to sett out a Keeper or lawful Herd in respect thereof;<sup>1</sup> And if any Tennant or Tennants fayle in and neglect the doing and performing of this Act and Order within the Space of two Months next after Proclamation of this Law, and not continue the said Fencing and Trenching in every Yeare for the future, that the Great Enquest of every Sheading either take notice thereof themselves, or upon Complaint or Proof made, make due Presentment of the Default at every Sheading Court, or Head Court Days, to the End that such Persons may be fined more or less according to the Nature of the Contempt and Quality of the Person, to the Use of the Lord of the Isle, according to the acustomary Course in such Cases by the Officers thereof; and that this Course may be the better observed, the Deemster is to give the same in Charge every Half Year to the said Enquest in particular Terms.<sup>2</sup>

Fences to be made and kept up, Winter and Summer.

Presentment for neglect.

Trespass.

Pinfold.

2. And it is likewise ordered and enacted, That after such Fences, Trenches, Hedges, and Ditches, be so made up and maintained, that the Goods trespassing on the same may and shall be lawfull to be pounded in the Lord's or Barron's Pinfold, as well for the Trespass done or made in the Winter Season, as in the Harvest or Summer Time;

<sup>1</sup> Alteration as to dimensions of fences by Act of 1667, Sec. 8, and by Statute of 1691, Chap. 5, Sec. 4.

<sup>2</sup> Repealed by abolition of Great Enquest by Statute of 1777, Chap. 8, Sec. 9.

and that the like Course be taken for the receiving the Fee of one Halfpenny a Foot for the Goods so pounded, and for the Pinder or Warden of the said Pinfold's Fees (which is the one Half) according as the former Orders and Statutes in that Behalf do mention and provide, excepting only that the Freedom and Allowance from paying the said Ob. a Foot for the first Trespass and Pounding by the Words of the said antient Statutes be repealed and disallowed, and for the future reputed null and void to all Intents and Purposes (severall Reasons and Occasions by the Temper of pragmatick Neighbours inducing the same); and that for the Time to come the said Ob. out of every Foot to be paid as well for the first Trespass and Impounding of any Manner of Beast as hath been heretofore, for the second or any other Time, by the aforesaid Orders and Statutes; and accordingly the said Pinder or Warden to levy and collect the said Fee himself, and account for the same in every Year at the Court of Debit or Imposition of Fines, that the Lord's Part of the Fees so falling due may be estreated and charged upon the Receiver his Accompt amongst the Charge of Casualtys in every Yeare, or to be sett forth in the Moar's Abstract of Fines and Amercements at the Discretion of the Officers of the said Court.

Foot or Trespass Fee.

3. And it is further ordered and enacted, That the Pinfolds of every Parish be made, upholden, and kept in repair all Times in the Year, as well Winter as Summer, or in default thereof the Parishioners to be fined for every Time neglecting the same according as heretofore hath been accustomed, and the same to be presented by the Great Enquest of the Sheading upon the Prooffe or Complaint of the Pinder or Warden in each Parish, or any other lawfull Prooffe or Complaint made: And it is declared, That the Manner and Course to be held in the Repair of the said Pinfolds is, and so to be observed according to the Rule of the repairing of the Church-yards of this Isle, which is done by the Tennants of every Treene or Division of the Parish, for their doing of their particular Proportions of the same.

Pinfold to be kept in repair in like manner as churchyard walls.

4. And it is likewise ordered, That a sufficient Person or Persons be nominated, sworn, or placed Warden of the respective Pinfolds, to deal truly therein, and to give a just and true Accompt of the Lord's Fee arising and accrewing from Time to Time in every Year as formerly accustomed; and the same Oath to be administered by the Deemsters, or by the Coroner or Lockman of the Parish before the Foure of the Great Enquest of the Parish wherein

Warden of Pinfold to be sworn by Deemster, or Lockman.

Pinder to be  
fined and  
removed for  
neglect.

Parishioners  
may erect  
second Pin-  
fold.

Cattle found  
on Highway  
to be  
Pounded.

Trespass  
Jury.

Regulation  
for Inden-  
tured Ap-  
prentice.

such Pinder is nominated and placed: And in case the said Pinder or Warden of Pinfolds be found faulty and negligent in his Office and Duty, or in giving in a just Account of the Lord's Dues, then upon Proove had and made, or true Information given such Pinder, not only to be fined and punished, but also to be removed from the said Employment, and another to be placed and sworn in his Stead as afforesaid, whose Ellection is to be by the Captain of the Parish, and by the Four of the Great Enquest of the same Parish, according as they shall find just Cause for his Honesty and Ability and convenient Living to the Pinfold whereunto he is intrusted; and in Respect it is observed, that one Pinfold in a Parish is discomodious to the People, now that impounding of Goods is to be made as well in the Winter as Summer Season, and disadvantageous to the Lord, by the Remoteness of the most or a great Part of the Parish from the antient Pinfold, which might make the Party agrieved indisposed to travell so far with the Goods trespassing upon him; therefore it is ordered, ordained, and declared, That the Parishioners of every Parish is at Liberty to erect and make another Pinfold in the most convenient Place of the Parish as they shall choose and best like of upon their own Labour and Charges, and such new Pinfold to be made use of in the same Manner to all Intents and Purposes as the other antient Pinfold, both for pouding of Goods and paying of Fees, as also for the repairing of the same, and the swearing and placing of a lawfull Pinder or Warden therein or thereupon.<sup>1</sup>

5. And forasmuch as Trespasses several Times happen, and is comitted by such Intackholders, Cottlers, and others, as live on Highway Sides, by turning Horses, Mairs, Colts, Cattle, Calves, Sheep, Swine, Geese, Goates, Lambs, Kidds, and other Goods, in the Laines or Highways, without looking after, unto, or herding the same, and ofttimes breakes the Farmers Hedges or Ditches to pasture and relieve such Goods therein; therefore it is hereby further ordered, provided, and enacted, That if any Person or Persons put forth such Goods into the Lanes or Highways without the Consent of the Farmer or Tennant whose Lands adjoines to such Highwayes, and the Goods be found without a Herd, or one looking after them, that it shall and may be lawfull to such Tennant or Farmer to lead, drive, and carry away the same Goods to the next Pinfold, and the Owner to pay the like Fees for and out of the same as other Goods trespassing in Manner as afforesaid.<sup>2</sup>

6. Also, if any Person or Persons shall be taken, found, or known to open Gapes, or to break or fall down a Hedge or Hedges, or any Part thereof, to the End (as such Person's Intent must needs be) to trespass in the Neighbour's Corne or Grass, that the Goods and Cattle so trespassing shall not be only pounded, but the Party or Partys so offending to be severely fined and punished at the Governor and Officer's Pleasure, upon Presentment or Information of the Tenant complaining by Oath, or other lawfull Proofs of the same. And it is further ordered, That for Amends and Reperation of all such Trespasses as before is mentioned, and for the avoiding of further Contention at Law, that immediately upon Complaint of the Trespass, or at farthest at the Release of the Goods so pounded, the said Pinder or Warden, or the Coroner, Lockman, or Moar of the Parish, are hereby authorised to nominate, charge, and swear four honest Neighbours to view the said Trespass, and to estimate the Damage upon Oath; and upon their Verdict given therein, the same to be forthwith paid to the Party grieved, or the Offender's Pawn taken by virtue of the Deemster's Token for full Satisfaction without further Trouble or Accion at Law for the same.<sup>3</sup>

7. Itm. Whereas it is observed that a great Cause of Differences and Complaints in this Isle touching Servants is, the frequent binding of Youth to Trades for two or three Years, and then, before they well understand the same, setts up for themselves and marry, and so live meanly

<sup>1</sup> Repealed by Trespass Act of 1713, Sec. 5.

<sup>2</sup> Repealed by Trespass Act of 1705.

<sup>3</sup> Repealed temporarily by Statute of 1748, Chap. 2, and absolutely by Statute of 1753, Chap. 8.

and poorly, and turning Cottlers or Inclosurers on some Highway Side, are commonly given to pilfering and stealing and intertainers of Vagabonds, and of Men's Children and Servants, at unseasonable Times, in dishonest Manner; and also, for want of Judgment spoils, if not pilfer, some Part of the Country's Work and Goods put unto them; and becoming thus to be Tradesmen, assumes an Exemption from being Servants, and in that Manner cause a great Scarcity both of Servants and of honest and able Tradesmen in the Isle: It is therefore ordered, ordained, and enacted, That no Person or Persons within this Isle shall for the future, after Proclamation hereof, take or entertaine any Apprentice to learn any Science or Trade, without such Apprentice, with sufficient Surety, do first enter into a Penalty by Bond to the Lord's Use in the Sum of tenn Pounds at the least to serve for the Time, Term, and Space of five Years; and further, when the said Terme of Years is run up and expired, such Apprentices are (nevertheless) hereby inhibited, forbidden, and barred to receive and entertaine any other Apprentice or Apprentices with, unto, or under him for the Space and Terme of one Year afterwards; and that to be nevertheless upon the Approbation of three of the same Faculty at least for the Sufficiency to take and teach an Apprentice for the Terme of Years afforesaid; neither is such Apprentice serving such Number of Years allowed or permitted to marry for one Year's Time and Space without the special Lycence of the reverend Ordinary, or his Substitutes or Spiritual Officers so empowered for the Time being, first had, procured, and obtained for the same; and upon a true Certificate under the Hand of the Minister of the Parish, and two sufficient Neighbours where such Tradesman doth live and reside, of his Condition, Honesty, and Abillity, according to their Knowledge and Common-Feme and Report, and all this upon Pain of severe Punishment upon the Person of the Offender or Offenders, and a pecuniary Mulct besides for a Fine to the Lord of the Isle.

Apprentice  
not to Marry,  
without  
Licence of  
Ordinary.

8. Itm. Whereas it hath been an ancient Custome and put to writing amongst the Statutes of this Isle Anno 1609, That any Person pretending a Debt to be due from any Deceadant should enter his Claime for the same in the Spirituall Court or Records within a Twelvemonth and a Day after the Decease of the Party; or in Default thereof, not to be recoverable in the Temporall Court of the Isle: Yet notwithstanding the said Statute, there is a Custome put in Execution besides, that the limited Time for enter-

*Repeated by  
Statute  
1591  
Sec. 4*  
Spiritual  
Court claims.

Probat to be  
taken in 3  
Months after  
Decease.

ing of such Claimes, and the prosecuting thereof in the Spirituall Court, is within a Twelvemonth and a Day after the Probatt of the Deceadant's Will, or making of his Decree, and yet the said Statute remains unrepealed or cancelled: And forasmuch as many Times such Probatts and Decrees are overlong neglected and deferred, whereby sometimes the Deceadant's Goods are much embezzled and impaired, to the Prejudice and Damage of Creditors, Executors, and Children, with many other Inconveniences thereupon ensuing: Therefore to reconcile the said Statute and Custome, and for Remedy and better Certainty and Order in this Case, it is hereby ordered, declared, and ordained, and so to be construed, deemed, and understood for the future, That the Probatt of every Will, and making of Decrees of Deceadant's Goods, shall be fully performed and effected within the Time and Space of three Months next after the Decease of the Party at the furthest, upon Pain of Fine and severe Punishment on the Persons or Partys that shall fail in the Performance, or neglect the same, after due and lawful Notice and Summons given by the Officers of the Spirituall Court appointed in such Matters, and therefore, that the Spirituall Officers take spetiall Care for the Observance of this Order and Act:

Limitation of  
Claims to a  
Year and a  
Day after  
Probat.

9. And it is also hereby declared and provided, That the Time for intermeddling with Debts, and for entering of Claimes, and proving of the same in the Spirituall Court for the future, shall be within the Twelvemonths and the Day after the Probatt and making of such Wills and Decrees at the end and Terme of the three Months aforesaid, and not otherwise; and in like Manner, that the Time or Cognizance for Tryall of such Debts and Claimes in Temporall Court shall be, after the Expiration of the Twelvemonth and a Day aforesaid, and at no Time before.<sup>1</sup>

10. And furthermore it is hereby ordered, enacted, and declared, That it shall not be in the power of the Spirituall Court, or Officers thereof, to non-suit any Claimer or Claimers of Debts in their Court by any particular Order or Proclamation for failing to come in to prove his Debt according to the Time appointed by such Notice or Call in the Parish Churches of the Isle, or particular Places or Churches thereof; nor to debar or non-suit such Persons as shall neglect or faile to enter and prove his or their Debts in Observance of such Proclamation, Order, or Call, but that such Claimers and Enterers of Claimes shall and may have the Benefitt of this Act for the Entering and Proof of their Debts within any Time of the Twelvemonth and the Day as aforesaid, first in the Spirituall, and afterwards in the Temporall Court as before; only it may be lawfull for the Officers of the Spirituall Court to issue out

<sup>1</sup> Repealed by Act of 1738.

such Order of Proclamation, upon spetiall Cause or Reason for the Knowledge of all Claimers Demands at any Time within the Twelvemonth and a Day as afforesaid.

11. Itm. Whereas there hath been of late a strong suspicion of that fowle and bestial Sin of Buggery to be committed within this Isle against which there hath been no Law or Order heretofore made or enacted, until now this present occasion required the same; therefore that Persons addicted to such Lewdness may receive recondign Punishment by such exemplary Tryall at Law according to the Rule of other Countrys, it is ordered, ordained, and enacted, and be it hereby ordered, enacted, and ordained by the Authority of the Court of Tynwald within this Isle, and the Approbation and Confirmation of our Honourable Lord as afforesaid, That any Person or Persons committing, or suspected to committ, such a filthy Act with any Manner of Beast, the Case shall first receive and have its Examination in the Spirituall Court according to Matters of Rape, Sorcery, Witchcraft, or the like, and afterwards in the Temporall Court by Indictment and Arraignment, as in the Case of Fellony, or other notorious Crime, if the Spirituall Court so return the same after Examination; and if the Malefactor be found guilty, Then Sentence of Death to pass against him, and to forfeit Life and Limb at the Pleasure of the Lord of this Isle; and likewise to forfeit all his Estates, Lands, Goods, and Chattles, as in the Case of Fellony, or other notorious Crimes as afforesaid, by Force and Virtue of this Law.<sup>1</sup>

Buggery  
punished  
with Death.

These Laws proposed to me by my Officers of my Isle of Mann I do allow and approve of, and give my Assent, that from henceforth they do become Laws. Given under my Hand this 16th Day of June 1665.

CHA. DERBY.

*At the Tynwald Court holden this 24th of June 1665.*

These last Acts being proposed to the Right Honourable the Lord of the Isle, and by his Lordship perused, the same is returned with his Honour's Approbation thereunto; whereupon the same Acts and Laws are this Day proclaimed upon the Tynwald Hill before the Audience and Assembly then and there present, to be observed and kept for wholesome Lawes for the future.

Hen. Nowell,  
Rich. Stevenson,  
Rich. Tyldesley,

Tho. Norris,  
Hugh Cannell,  
William Qualtrough.

John Garrett,  
Cha. Stanley,  
Tho. Moore,  
Tho. Radcliffe,  
Ro. Stevenson,  
William Christian,  
John Norris,  
John Fargher,

Tho. Woods,  
William Curlett,  
John Moore,  
William Caine,  
Tho. Bancks,  
John Kneale,  
Thomas Clauge.

<sup>1</sup> Repealed by Criminal Code of 1817.



*At the Court of Tynwald,*

*Holden at St. John's Chappell, within the Isle of Mann, the 21st day of September, 1667, before the Right Reverend Father in God, Isaac, Lord Bishop, and Governor of the said Isle, Henry Nowell, Esquire, Deputy Governor there, with the rest of the Councill of the same Isle, and before the Deemsters and the 24 Keyes, the Representative of the foresaid Isle, these ensuing Orders were enacted, and by and with the approbation of the liege Lord of the said Isle, to be published for good and wholesome Laws to be kept and observed in the said Isle; as followeth:*

Entertaining  
Servant, or  
Children  
punished.

First, That no Neighbour, or any other Person, do (as is too frequently used) intice, inveigle, countenance, or entertaine any Servants, especially at unseasonable Times, under Pretence of any Manner of Kindness, of visitting of Friends, of Drinking, Gaming, or otherwise, for that it hath been observed to be a great Motive to convey and purloyn their Master's Goods, and so bring such Servants into a Course of pilfering and wasting of their own Wages; it is therefore hereby ordered, enacted, and declared, That whosoever shall be known to entertain Servants or Men's Children in that Kind for the future, and thereof evicted by Testimony, or other material Circumstances, shall (if the Party be of Abillity) for the first Time be amerced in a Fine to the Lord's Use; the second Time to be both fined and punished, besides making Restitution to the Party grieved; and for the third Offence to be proceeded against as Receptors and Abettors of Felionys according to the Statute against Pilferys, if the Goods purloyned and receipted amount in Value above ijd. ob. and that by Indictment and Arraignment; and the Servant to be punished at Discretion, and to give in sufficient Security for his true and honest Dealing and Demeanor for the future.

Servants  
absenting  
punished by  
Fine.

2. Itm. Whereas it is complained against, that Servants do assume the Liberty to absent themselves frequently on Sundays and Holy Days from looking after their Master's Goods, and other Concerns, without their Master's Lycence, or any Leave or Consent desired therein, which oftentimes redounds to their Master's Prejudice and Damage relying upon such Servants (both) honest and obliged Care; it is therefore hereby ordered, enacted, and declared, That if any Manner of Servant do offend in the like Nature hereafter, upon any Pretence whatsoever, without first acquainting their Master or Mistress therewith, and obtaining their Leave and Liberty, it shall be lawfull for such Master or Mistress to deduct and detain ijd. out of the Servant's Wages for every Time so offending: And if nevertheless such Servants make a constant Practice of it, and use the said Liberty at their own Pleasure, then upon the Master's or Mistress's Complaint the Servant to be punished by Imprisonment, with the Allowance of Dyett mentioned in the late Statute for the refractory Servants, and so to continue until he or she engage to conform and become obedient and carefull according to the Trust reposed in them; and nevertheless the Master or Mistress to deduct and detain (if they please) ijd. for every Sunday's and Holy Day's absenting as aforesaid; and moreover, so much out of the Servant's Wages besides as shall satisfy and pay any Person taken to perform the Work and Labour of such Servants during the Time of their Confinement as aforesaid.

Servants  
Wages.

3. Itm. Whereas notwithstanding the Statute of the Year 1609 for Limitation of Servants Wages, to wit, a Plowman to have by the Year xij*s*. iiij*d*., a Driver x*s*., and a Horseman viij*s*., and to a Woman Servant as she should be reputed fit to deserve, &c.; at which Time the Farmer was of better Abillity than of late Times, since the enhancing of the Wages, to pay the same by the Rates aforesaid for their Corn and other Commodities; that nevertheless the Servants will not of late Yeares, hire for double the Wages so mentioned, unless they may receive what Wages the please, not considering that the Farmer is far more unable now than formerly to pay the same, in respect of the scarcity of Money, and the cheap Rates both of Corn and Cattle; and yet are the Servants in a better Condition to subsist, by the Cheapness of Cloath, both Woolen and Linnen, and all other Commodities they stand in need of: And whereas it may be conceived, that the Wages mentioned in the said Statute was only intended for such Servants as were made by Jurys and Yarding, albeit the foresaid Statute is plain to the contrary, being for the Wages Generall of Servants, &c.; be it therefore hereby ordered, enacted, and declared, That there be a Restraint of such Exorbitancy in the Servants, That (considering both the Cheapness of all Commodities at present, and that probably the same may rise higher hereafter, and so continue for some Time) there be this Moderation made on both Parts, viz. That every sufficient Plowman shall have for his Wages fifteen Shillings, and not above; every Driver ten Shillings; every Horseman, or Horse Lad, eight Shillings; every Household Fisherman xi*s*. and not above; and

every Maid Servant of Ability to undertake and performe her Master or Mistress's Service, the Wages of nine Shillings by the Year, and not above; and that the Allowance of Wages to other Maid Servants of meaner Capacity and Ability, and to Shepherds and the like, be estimated by the Deemster, and in some Things both by the Deemsters and the Standing Jurys for Servants in each Yeare, if such last Sort of Servants will not be otherwise reasonably satisfied by their Master or Mistress; and no other certain Wages to be given above the Rates and in Manner as aforesaid, unless it be by Way of Bounty, at the Discretion of the Master or Mistress, as they shall understand the Servant worthy of, or himself deserve, according as is mentioned in the foresaid Statute: And if any Servant be refractory, and refuse to serve at the Wages and Rates aforementioned, such Servants (upon Complaint to the Governor, or his Deputy) are to be imprisoned, and so to continue with the Dyett of disobedient Servants untill they submit to the Statute thus made, and give Security for their honest and careful Labour as Occasion shall require; and besides, to pay such Fees for their Contempt as by the Governor or his Deputy shall be thought fitt. And it is provided, That the said Wages is conditional in case the Servants be not able to perform the work, otherwise to be lessened at the Deemsters Discretion.<sup>1</sup>

Refractory  
Servants  
punished.

4. Itm. Whereas divers, under the Pretence of old and decrepit Persons, do make entrance of Choice Children for their Freedom from Service, when as such Challenge and Claime by many of those Entrys is contrary to the true Intent and Meaning of the Statute made in that Behalf, by Means whereof a Scarcity of Servants are occasioned, and an Obstruction both to the Farmers, Deemsters, and other Officers, who should have the Benefit of yarded Servants, &c.; Be it therefore hereby ordered, enacted, and declared, That no Person shall have the Benefit of Entrance of a Choice Child for the future, but such as shall have the Approbation for the same under the Hands of the Jury of Servants in their own Parish for the just Necessity thereof, and then after to enter the same with the Comptroller at the usuall Time according to the Statute in that Behalf; and to this End the Deemsters are to give Orders to the Coroners of every Sheading, or their Lockmen, to impanell a Jury for Servants in a seasonable Time, betwixt Allhollowtide and May, and so to remain a Standing Jury for that Year for making of vagrant Servants, and certifying with such as shall be thought meet to have the Benefit of Choice Children, which is to be included in their Oath for their true dealing therein.<sup>1</sup>

Choice  
Children.

Jury for  
Servants to  
be impan-  
nelled.

5. Itm. That such Witnesses as are charged more than once upon any Case (except the Lord's) at the Suit of either Plaintiff or Defendant in one and the same Business, shall have reasonable Charges allowed and paid them at the Discretion of the Court, or of the Governor or Deemsters before whom the Case depends, from the Party, whether Plaintiff or Defendant, or any other Person that is the Cause of their unnecessary Charge and Trouble; and if the Default be by any of the Witnesses themselves, then such to be emulct both in a pecuniary Fine to the Lord, and Satisfaction towards the Charges of the rest of the Witnesses that appeared and are occasioned to be further troubled by such Neglects, provided such Persons be lawfully charged, and due Presentment made thereof.<sup>2</sup>

Witnesses  
charged.

I have perused these five Orders and Statutes before-mentioned, and do give my Consent and Approbation for their Confirmation, and will that they be published at the next Tynwald Court as enacted and wholesome Laws to be observed within that my Isle of Mann, amongst other the Statutes there.

And have thought fit to propose these ensuing Orders to my Governor, Officers, Deemsters, and 24 Keys of my said Isle, for their Perusal and Subscriptions, conceiving and approving them to be expedient for their Continuance as enacted Statutes and Laws, and so to be published at the Court of Tynwald within my foresaid Isle; that my Intention and Resolution thereby may be extant to future Ages, it so much relating to the good of my Island, and the People thereof in generall.

CHA. DERBY.

6. Forasmuch as it would very greatly conduce not only to the Beauty, but also the Health and Riches of my Island, to have Wood planted in all Places convenient for it, and because it is impossible to preserve Wood where Grounds are made common, as by a bad custom they are for a great Part of the Year in my said Isle, whereby the good Husbandry of Planting is discouraged and wholly neglected: be it therefore enacted, That whatever Persons shall suffer his Goods to stray from his own Grounds without a Herd to keep them from damnifying their Neighbours, and so become Trespassers upon any Man's Ground, at any Time of the Year whatsoever, (except only such a Neighbour

Woods.

Trespass.

<sup>1</sup> Repealed by Act of 1777, Chap. 1.

<sup>2</sup> Suspended by Temporary Act of 1748 (Chap. 2), and repealed by Act of 1753, Chap. 6.

who fails in keeping his Part of the Fence, which by Law he is bound to maintaine with him,) shall for every beast thus trespassing and brought to the Pinfold pay besides the Lord's Due to the Party damnified *iiijd.* for Trespass in Summer, and *ijd.* for the Trespass in the Winter Season, unless the Party grieved shall think fit to remit or lessen it; and the same to be levied by Authority from the Deemster, who shall not fail upon just Complaint to issue forth his Token to this Purpose.<sup>1</sup>

Punishment  
for cutting or  
injuring  
Trees.

7. And whosoever shall be convicted to have cut, broken, or spoiled, any Tree, Sett, Plaine, or Graft, (unless upon his own Ground,) shall for the first Offence be compelled to plaint five for every one so hurt or spoiled; and for the second Offence tenn, in such Places of the Ground as the Owner shall appoint; and for the Third Offence and after, shall suffer such punishment by Imprisonment, Fine, or corporal Chastisement as by the Governor or Deputy shall be thought fit; and if the Tree cut or spoiled be of any considerable Value, he shall also make full Satisfaction to the Owner, and be compellable so to do by the Deemster's Token.<sup>2</sup>

Height of  
Fences.

8. And whereas by further Orders the Hedges or Fences were ordered to be of the Height of four Foot and a Halfe, it is now declared, that such Hedges or Fences shall be of the Height of five Foot at the least for the future.<sup>3</sup>

Contradiction  
of  
Statutes.

9. Having had Information given me that by Reason of several Cross Statutes yet extant upon Record, and also of pretended Customes and Brest Laws, contrary sometimes to the Statutes in force, my People are much distracted in their Affairs, and made uncertain how to proceed in the Transaction of their meanest Concernments, and are drawn unto unnecessary Charges of Coppys, and that Lawsuits and Differences are multiplied, and their Dispatch hindered and prolonged:

Useless  
Statutes and  
Laws to be  
repealed,  
others to be  
written.

These are to require my Comptroller, Deemsters, and all other my Officers which are best acquainted with the Laws and State of my Island, together with the Advice and Assistance of the 24 Keyes, to make an exact Enquiry and Search into the Statutes, that such as are found fit to be abrogated may forthwith be repealed and cancelled, and that the rest that are necessary for the Government of the Island, together with such Customes as are thought worthy to be translated into Laws, may be wrote fair into a Book, and made the Rule of Proceeding in all Cases, that so no Liberty may be left to private Opinions, or gratifying Interests: but that the People may know their Duty, and expect their Reward or Punishment according to their Conformity or Disobedience to the known Laws.

Like for Ec-  
clesiastical  
Laws.

10. The same Course I require also to be taken with the Ecclesiastical Statutes by the Spiritual Officers, with the Advice and Assistance of such knowing Persons, both of the Clergy and Laity, as shall be thought fit to be joined with them by the Bishop of my Island; and because I look upon this as a great Expedient for the Preservation of the People's Peace and Quiet, or at least for shortening and composing Differences, I require that it be forthwith put in Execution.<sup>4</sup>

CHA. DERBY.

These annexed Acts being sent to our Honourable Lord, and by his Lordship approved of, to be published at the Tynwald Court holden the 21st September, 1667, being St. Matthew's Day, the same is now subscribed by us:

Isaac Sodor and Man,  
Hen. Nowell,  
Rich. Stevenson,  
John Christian,

Richard Tyldesley,  
Tho. Norris,  
Hugh Cannell,  
William Qualtrough.

Tho. Radcliffe,  
Rob. Quayle,  
William Christian,  
John Standish,  
Hen. Radcliffe,  
Rob. Stevenson,  
Tho. Bancks,

Tho. Huddleston,  
Tho. Harrison,  
Tho. Woods,  
John Kneale,  
Cha. Stanley,  
Ewan Curghey,  
Tho. Casement.

<sup>1</sup> Repealed by Trespass Act, 1705.

<sup>2</sup> Repealed by Acts of 1748 (Chap. 2), and 1753, Chap. 8.

<sup>3</sup> Repealed by Act of 1691, Chap. 5.

<sup>4</sup> Spent.

At the Tynwald Court,<sup>1</sup>

*Holden at St. John's Chappell, in the Parish of Kirk German, in the Isle of Mann, the 24th Day of June, 1673, before the Worshipful Henry Nowell, Esquire, Deputy Governor of the Isle; Richard Stevenson, Major Generall and Assistant to the Court; Richard Tyldesley, Comptroller and Clark of the Rolls; Thomas Norris and Edward Christian, Deemsters; Richard Baxter, Thomas Fletcher, and Thomas Norris, Waterbayliffs; William Qualtrough, the Lord's Attorney; and the 24 Keyes, the Representative of the Isle.*

Whereas by an antient Order of the Year 1582, enrolled in the *Book of Statutes of this Isle*, and by a Statute enacted in the Year 1645, it is ordered and declared, *That no Manner of Person or Persons whatsoever shall give, grant, or assigne, any Lands or Tenements within the Isle, without the special Licence of the Lord of the said Isle, or of the Officers thereof, as therein is expressed, and without their Approbation, Confirmation, or Allowance, otherwise that all Bargaines made to the contrary shall be void and frustrate and either of the Partys nevertheless to forfeit lxs. by each of them to the Lord's Use, as by the said Order and Statute more at large appeareth.* Non Alienation Act revived.

1. Now forasmuch as some of the Tennants who had Matters relating to the said Statute and Order pleaded their Ignorance thereof, having incurred the Forfeiture of lxs. in respect their Bargaines wanted the like Allowance and Confirmation; therefore the Court hath thought fit that the said Statute be again revised, and this Day proclaimed in Audience of all the Countrey and Assembly present, which is so performed that all Persons may take due Notice thereof, and conform themselves and their Matters of that concern accordingly for the future.<sup>2</sup>

2. And whereas it is observed, that divers the Inhabitants of the said Isle do frequently bring such poor Veales to the Marketts to be sold, *that in respect of young Age, being but a few Days old, they are so Carrion like, that it is odious and undecent the Sight of them, besides the Danger of eating any of them, for the infecting of People of their Healths, and a great Disparagement to our Marketts, especially before Strangers; therefore, for the Prevention of the like for the future, it is this Day ordered and proclaimed, That whosoever shall bring, or cause to be brought, to any Markett within the said Isle, such unwholesome Victualls before such Veales have come to the age of three Weeks at least, and be fit and wholesome to eat, that the Constable and Clark of the Markett in every Town shall ceize upon such Victualls, to wit, Veal under three Weeks old, and also such Lambs, Kidds, and Piggs as shall appear unmarketttable in respect of their Poverty and Tenderness of Age; and having so ceized thereon, the same to distribute to the Poor of the said* Slink Veal. Bad Veals, Lambs, Kidds, or Piggs, seizable by Clerk of Market.

<sup>1</sup> The Words in *Italics* scarcely legible in the original.

<sup>2</sup> The following note appears in the original, "Tho. Huddleston, the other Waterbayliffe, is absent."

<sup>3</sup> Repealed by Act of Settlement, 1704.

Towns, or otherwise to burn the Flesh of such Things in *some convenient* Place, and the Owner not to have any Recompence, nor admitted to make Saile of them; and if any Owner of such Goods be refractory, *and give Opposition hereto*, it shall be lawful for such Constable and Clerk of the Markett to *make Presentment* against such averse Owners of those Goods, who thereupon *shall be proceeded against* both by Fine and Punishment at the Court's Discretion; *and it is to be provided, that* if any Inconvenience arise by this Order, *that the same be further considered* of at the next Tynwald.

Stabbing or  
abusing  
Cattle.

Suspected  
Persons to  
clear upon  
Oath.

Jury of En-  
quiry.

Persons  
refusing to  
give Oath  
chargable  
with Da-  
mages.

3. Also, Whereas several Complaints have been made against such unconscionable Persons as presume to abuse their Neighbour's Goods in an unhumane Manner, both by Stroaks and Stabbing them, or by any other Manner of Way whatsoever, to the great Damage and Prejudice of the Owners thereof, contrary to the Peace and good Order of the said Isle; for the discovery of such Enormitys it hath been a laudable Custome in the said Isle, that all Neighbours, but especially suspected Persons, should give that Satisfaction to the Law as to give an Oath before a Jury of Enquiry to clear themselves if they could, or else to be lyable to make Restitution as the Law should require; contrary to which wholesome Rule some littigious Persons, not regarding the discharging of a good Conscience, and so refractory and perverse, that they will not give satisfaction as aforesaid as one Neighbour should give another, but insist on having the Matter proved by Witnessess, which they well know cannot be had in such a mischievous, obscure and secret Violence: And it being not doubted that such laudable Custome should meet with Persons of such exorbitant Courses, but that every one would be ready to give Satisfaction by Oath, both out of Charity and good Neighbourhood, as the said Custome has hitherto passed without any penal Act made therein, therefore this Court hath this Day ordained and enacted, and it is hereby ordained and enacted, and accordingly proclaimed in Audience of all the Assembly present, that every person take due Notice thereof, and conform themselves accordingly, that when and as often as Complaint is made of such fowle Misdeameanors to be done to the Goods and Cattle of any Person within this Isle, That every Neighbour, and all others suspected, give an Oath before a Jury of Enquirey clearing themselves from the Fact if the can, without any further Witness to be produced, or insisting on that nice Evasion, that they ought not to swear against themselves, or the like Allegations; and that if any Manner of Person or Persons be obstinate or refractory in refusing to give or take any such Oath, that in such case and Default the Person or Persons so refusing shall be deemed Guilty of the Fact, and make full Satisfaction and Restitution to the Party grieved, according as a Jury shall estimate the Loss sustained demeritt by a reasonable Rate or Value; and that by virtue of the Deemster's Token, for the taking of a Pawne against the Goods and Chattles of the Offender, according to the Rule and Custome of this Countrey; and nevertheless the Offender to be proceeded against by Fine and Punishment for better Example to others, according as the Court shall think fitt at their Discretion.<sup>1</sup>

Hen. Nowell,  
Rich. Stevenson,  
Richard Tyldesley,  
Tho. Norris,

Edw. Christian,  
Tho. Fletcher,  
William Qualtrough,  
Tho. Norris, junior.

Cha. Christian,  
Ro. Quayle,  
Ewan Christian,  
Tho. Radcliffe,  
Ro. Stevenson,  
Tho. Woods,

William Curleod,  
William Christian,  
Tho. Harrison,  
John Moor,  
Steven. Kee,  
John Kneale,

<sup>1</sup> Damages increased by Act of 1748, Chap. 2, repealed by Act of 1753, Chap. 8.

William Mcylrea,  
John Barry,  
Cha. Moor,  
Pat. Christian,  
William Caine,

Hen. Radcliff,  
Rich. Harrison,  
William Curleod,  
Tho. Norris,  
John Norris.

~~~~~  
From the Exchequer Book. Nos. 33, 34, and 35.

At the Tynwald Court holden at St. John's Chappell in K.K. German in y^e Isle of Man y^e 24 day of June 1679 before y^e Right Worp^u Robt. Heywood, Esq., Governor of y^e Isle of Man aforesaid and before y^e Council of y^e said Isle y^e Deemsters and 24 Keyes y^e representative of y^e said Isle. It is ordered ordained and enacted as followeth :

Whereas it is observed y^t much Copper and Brass Money half pence called Butchers half pence, Patrick's half pence and Copp^r farthings do (without any order) pass in this Isle which may in time prove very prejudicial and of great damage to the Island if not timely prevented.

1. It is therefore ordered ordained and enacted that none of the said Copper or Brass money called by ye names aforesaid or any other of y^t nature shall pass in this Island after y^e first day of January next ensuing or be paid and received by any manner of person in exchange or payment after y^e said day upon penalty of Three pounds to our Honble. Lord's use, and further punishment at the Governor and Officers discretion : provided always y^t this shall not be prejudiciall to or hinder the passage of the Copper farthings called the King's Farthings, or the half pennies set forth by authority or of the Brass Money called John Murray's Pennies, but that those last mentioned may still pass according to order, untill it shall be otherwise declared to the contrary.¹

Certain
Copper Coins
made illegal.

2. Whereas it is observed that certain workmen in this Island called Mowers do take extraordinary wages & yet do not y^t work as well as usually taking y^e liberty to put three to do the work done by two formerly with the same wages.

Regulation
of Mowers'
Wages.

It is therefore hereby ordered, ordained, and enacted, that henceforward every Mower doing his work sufficiently & two to every acre and one to a Daymuth shall receive for his day's work or wages every day that he worketh with sufficient meat and drink four pence a day or without meat and drink at the farmer's choice twelve pence a day and no more.

And if any man using this occupation shall refuse to work after the rate aforesaid or refuse to come being sent for by the farmer except he be in other men's work shall upon complaint made and sufficiently proved before any of the magistrates of this Isle be put to be a Servant or otherwise if he be not of that capacity, then to be fined and punished at the Court's discretion. And if any Farmer or other person having occasion to use any such Mower shall give any greater wages than before is mentioned every such person so offending, contrary to the true meaning of this Act shall for every time forfeit to the Lord of the Land so much of the whole wages or days work comes to.²

Penalty for
refusing to
work for
legal Wages.
Penalty for
paying more
than legal
Wages.

3. And whereas (also) it is also observed and complained of that certain persons selling Heiring netts in the Markett do fraudently bring a Sling which ought to be twelve fathoms in length and betwixt fifty-seaven and sixty meshes in breadth and yet when it comes to be

Herring nets
to be made
and sold of
prescribed
size.

¹ Spent.

² Repealed by Act of 1691, Chap. 4.

measured, tried, & reckoned, it is not above ten fathoms & a half or eleven at most and sometimes not above fifty-four meshes in breadth.

Therefore to prevent such fraud & fraudulent dealing for the future It is hereby ordered, ordained, & enacted that all persons working such netts and bringing them to sayle in the markett or at his house shall work the same sufficiently and make every sling full twelve fathoms in length and fifty-eight meshes at least in breadth, and every one that shall be found to sell any netts otherwise than is expressed in this Act shall forfeit the whole netts so sold, the one half to our Honble Lorde of this Isle and the other half to the party complaining and discovering the same.

Note it is to be understood that every fathom is to be full two yards.

Cotters &c.
not to keep
more cattle
than they
have fodder
for.

4. And notwithstanding many wholesome, good, and laudable Statutes & Laws made ordained & provided to prevent evil neighbourhood betwixt the Tenants and Inhabitants of this Isle yet it is observed that there is a sort of people as Cotters, Intachs and Cottage holders and who out of a covetous and unconscionable desire to injure their neighbour and to procure to themselves an unjust and unlawful gaine do keep more cattle horses &c. both in the Summer and Winter season than they had grass for in the Summer or make sufficient provision for in the Winter nay in the market towns and other places (who have not one foot of land to pasture on do keep some, one horse, some more presuming and pretending to keep them in the lanes & highways which so in the day time may be a pretence and shelter, but in the night time when honest and well meaning men do take their rest, such unconscionable persons do in the Spring & Summer Season suffer their goods (which by the course of nature must (of necessity) have a livelihood or perish) to straggle & trespass in their neighbours' corn & grass and yet before day carry and get them away unseen to the great loss and damage to the Farmers & Tenants & also for the Winter time such persons as keep one Cow or more do (to blind the eyes or stop the mouths of men) provide a small proportion of hay or straw but far short of a competent provision and so are forced (for preservation of the said goods) to betake themselves to unlawful and dishonest courses, & to purloin the Fodder of the more honest neighbour who do keep no more goods than they have sufficient maintenance for or endeavour in time to make better provision. Therefore to prevent such fraudulent, unjust, and unconscionable courses for the future;

It is hereby ordered, ordained, and enacted that no manner of persons namely Cotter, Intach, or Cottage holder, or Towns man within this Isle or any other person shall hereafter presume to keep any more goods namely, horses, cows or the like than he hath sufficient pasturage for in the Summer and doth provide sufficiently for hay or other Fodder in the Winter so as they may not be troublesome or obnoxious to their neighbours by trespassing or purloining as aforesaid.

Coroners to
swear Fodder
Jury's in
each Parish.

5. And to the end that this course may be y^e better observed, It is hereby further ordered, ordained and enacted, and be it further ordained and enacted, That y^e Coroner of every Sheading within the Isle doe impannell & swear four honest & judicious men, three of them at least to be farmers, as a Jury in every parish, which four men or Jury as well betwixt y^e 25th day of March and May day as also betwixt the 29th day of September, and Alsaints day shall make strict view of what goods such persons before mentioned keep or intend to keep in both y^e seasons viz. : of Summer & Winter, and also of what provision grass or fodder they make for the sufficient keeping of them, and to do y^e same exactly upon y^e oathes without favour or affection, or other by respect. And if the said four men or Jurors do (upon the view aforesaid) find (upon y^e oathes) y^e any manner of person or persons before specified doe keep more goods than they have grass or fodder for y^e sufficient keeping and maintaining of, & y^e out of an unconscionable and dishonest meaning to prejudice y^e neighbours (as it must needs be) then & in such case it shall & may be lawful for the s^d four men or Jury to make sale of such goods or so many of them as they (upon their oathes) shall find not to be sufficiently provided for according to the price current or market rate at that time & to deliver the price to the owners, retaining for every Beast so sold for their own paines 2s. 8d. per pound, and also to make true presentment of such persons as they so find to use such inconscionable & dishonest courses that they

may be further fined at the discretion of the Governor & Officers as their offence shall demerit.¹

6. And that there may be no fraud or connivance used by the Coroners for the time being nor the jury ympannelled for finding out of offenders of this nature; it is hereby ordered, ordained, and enacted that if it shall be hereafter discovered that the Coroners or any of them shall fail to put this Law in punctual execution as is before prescribed or that the said four men or Jurors or any of them shall be remiss in their proceeding or shall use any partiality in their view & making presentments and the same being justly proved either by Witnesses before the Governor, Deemsters or either of them, or upon complaint by Verdict of a traverse Jury viz : Six men of the same parish if the Governor Deemsters or either of them think fit so to proceed, then the said Coroners are to be proceeded against by fine & punishment or (if it be found to be wilfully done) as in the case of perjury accustomed, and that by virtue and force of this Law.²

Penalty for
Coroners
and Jurors
neglecting
their duty.

R. Heywood,
Rich^d Stevenson,
Tho. Norris,
Edw. Christian,
Tho. Fletcher,
Hy. Calcott,
Will^m Qualtrough,

Chas. Christian,
Will. Harper,
Tho. Harrison,
John Barry,
Chas. Moore,
Will. Curlett,
Hen. Radcliffe,
Silvester Ratcliffe,
John Tubman,
William Christian,
John Parre,

John Quilliam,
Rob^t Stevenson,
John Norris,
John Moore,
Will. Caine,
Jo. Kneale,
Rich. Thompsonne,
Thos. Wood,
W^m. M^cylera,
Patrick Christian.

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*From the Exchequer Book, 1682. No. 33.*

*At the Court of Tynwald holden at St. John's Chapell the 24th day of June 1682. It is ordered as followeth—<sup>3</sup>*

Whereas amongst other Laws made and proclaimed at this Court the 24th of June 1679, which Laws are altogether sleighted & neglected, but now are revived and ordered to be put in due execution under the penalty therein prescribed, there was a law made & published forbidding the passage of Brass & Copper Moneyes but such only as in the said enacted Law was allowed as by the same more at lardge appeareth notwithstanding which Law much Copper Money has been brought in & disposed through this Island without any permission or legal authority, i.e. out of Scotland halfe-penyces stamped with a Thistle of the worst or basest sort of Copper, and out of Irland Copper halfe-penyces, stamped with ye Harpe, both which halfe-penyces doe appeare to be in a plentiful manner disposed, insomuch that no considerable sum of Money can be paid, but part of the said Copper halfe-penyces is included which may in a short time be of great prejudice and detriment to the whole Island if noe timely course be taken for the prevencon of it.

Scotch and  
Irish half  
pennies  
illegally  
brought in  
the Island.

It is therefore this day ordered by the Deputy Governor & officers of this Court whose names are subscribed with the advice and consent of the 24 Keyes now assembled

Such half-  
pennies to

<sup>1</sup> Repealed as to Fodder Jury by Act of 1691, Chap. 2.

<sup>2</sup> Repealed by Act of 1691, Chap. 2.

<sup>3</sup> Confirmed by Act of 1687, but spent.



pass as  
farthings  
only.

yt the Copper halfe-penyces stamped with the Thistle & the Irish halfe-penyces stamped with the harpe, shall from the first of July next ensuing (for the necessity of change only) pass for a farthing a piece & no more. And that the s<sup>d</sup> Copper Money or halfe-penyces be paid or received for noe more by any maner of person in exchange or paym<sup>t</sup> after the s<sup>d</sup> day under such penalty & damage as may ensue to such persons as shall receive them or under the penalty of the mulke in the former Statute provided, which Statute notwithstanding this order is to be of full force & this to continue & be of force only & soe published till further or other order be declared to the contrary.

Silver  
Groates le-  
galized and  
Rixum  
Groats de-  
clared illegal  
and ordered  
to be de-  
stroyed.

And whereas there is a great distraction in the Countrey about the passage of Groates by reason many groates call Rixum Groates are disposed amongst us, inso- much that the people are scrupulous nay and oft deny the good as well as the bad.

It is therefore ordered that the good old Silver Groates shall pass as formerly and not be denied by any & that the Groates called Rixum Groates or any other false or counterfeitt Coyne shall be refused & are hereby ordered not to pass. And as oft as any dispute ariseth touchinge the said Groates the same is to be tryed before the Deemsters, that is before Deemster Christian on the North Side and Deemster Fletcher on the South Side, who are hereby authorized to take such persons as they shall think fitt for their assistance to approve, allow, or disallow, of the said Groates, and such Groates as they shall find in their own judgments or by the advice of their Assistants to be Rixums, counterfeitt or nought, they are to be broken & made useles & unfitt to be offered to pass for the future. And if any be discovered to pass any of the counterfeitt Moneys out of a fraudulent manner to defraud or deceive any person of mean Judgment such persons to be fined and punished (besides the breakinge of the said Groates) as in their discretion shall be thought fitt, and this course to be holden till further Order or Law be declared or enacted to the contrary.

Rich. Stevenson,  
Edw. Christian,  
Tho. Norris,  
Tho. Fletcher,  
Hen. Calcott,  
Thos. Norris, jun.

~~~~~

From the Exchequer Book, 1687, No. 61.

Certaine Orders sett down by Robt. Heywood, Esq., Govr., of the Isle of Man, and published with the consent and approbation of the rest of the Lord's Officers and 24 Keys, the representative Body of the said Isle at the Tinwald Court, holden at St. John's Chappell, the 24th day of June, Anō Dom. 1687.

Watch and
ward.

1. First. It is Ordered and proclaimed that Watch and Ward be kept upon the Coasts of this Isle according to ancient Law and Custom, & that the respective Wardens be careful & dilligent to see that the Watches be duly attended & sufficient & able persons sent there to perform that duty under such penalties as are set down by the ancient Laws of this Isle.

Protection
of game on
Calf Island.

2. That no maner of person or persons whatsoever shall presume to go unto the Calf Isle by day or night under any pretence whatsoever to annoy, destroy, & carry away the Lord's game there, under the penalty of forfeiting the sune of iijl. sterl. to the use of the Right Honble. Lord of this Isle, and to endure such corporal punishment as the nature of the offence will deserve.¹

¹ Repealed by Act of 1748, Chap. 5.

3. That notwithstanding the several Orders formerly made & published at this Court requiring all masters & owners of boats to be diligent & careful to have their boats and nets in readiness to receive that great blessing which God Almighty hath been pleased to send among us of a Herring Fishing when there would be any appearance thereof in any parte about the Island, & that they should lay hould upon every opportunity that would offer that blessing unto us; Yet it is observed that the said orders have been much slighted and contemned for some years past, which hath been a means of greatly impoverishing of the Tenants and Inhabitants of the said Isle; & that Some Boates (rather than they would attend the fishing about the Island to promote the good thereof) have gone over into Scotland & other places to fish for Herrings, & thereby have not only neglected the fishing at home, but also deprived our Rt. Honble. Lord of his Customs & other Dues arising out of the same; for redressing whereof, & that the said former Orders may be the better observed,

It is this day ordered & proclaimed that all masters and owners of Boates within this Isle shall before the first day of July next, put their Boats & nets in good order and readiness to look after and search for the s^d fishing about all parts of the Island: And that when it shall please God to send His said Blessing unto them that all and every the said Masters of Boates, shall attend with their Boates and nets at such place as the fish is found & discovered, when notice shall be given them thereof, either by the Coroner or Lockmen of the Sheading and use all possible means to further and keep up the fishing according as it pleaseth God to offer the same; And if it shall be found that any master or owner of Boates within any part of the Island shall neglect or refuse to give the attendance at the place where the said fishing is as aforesaid, they & every of them upon a presentment of disobedience given in against them by either the Coroner or Lockmen shall be fined in the sum of iij*l*. sterl., to be levied for the use of the Rt. Honble. Lord of this Isle without mitigation; or that if any person or persons whatsoever shall go over either into England, Ireland, or Scotland to fish there with their Boates and nets, and neglect to attend the fishing of this Isle as aforesaid, such person or persons upon their returning to the Island shall be obliged to pay all such Customs & other duties unto the Lord out of what fish they shall kill abroad in as full & ample a manner, & according to the same rule that they are to pay in case they had fished about the island as aforesaid.¹

4. That whereas it is complained of by the Moares of Kirk Christ Lezayre, that they have been exposed to great trouble in collecting our Right Honble. Lord's Rents from some Tenants that do hould lands in the said parish & yett they themselves doe live in several other parishes throughout the Island, and that the said Moares are forced to make many journeys unto the said Tenants' houses before they can gett their rents from them which in time may draw such inconveniences upon the said Moars that they will be wholly disencouraged to serve his Honor in that office.

It is therefore ordered & proclaimed that all such Tenants as do so hould any Lands or Tenements in the said parish of Kirk Christ Lezayre, and do live in other parishes as aforesaid, doe for the future take care to leave their rents with their sub-tenants within the said parish as oft as the same shall become due, that so the said Moars may receive the same within their own parish, and not be troubled to go forth into other parishes to demand the same as formerly they have done, otherwise & in default thereof, the said Moars are forthwith (after lawful demand being first made at the sub-tenant's houses as aforesaid) to repair or send to the Constables of the next

Herring Fishing.

Boats fishing in Scotland &c. to prejudice of the Island.

Fishing boats to be ready for fishing on 1st July.

When notice given boats to proceed to fishing ground.

Penalty for neglecting to attend, after notice.

Boats fishing in England Scotland &c. to pay Lord's custom on their return.

Difficulty of collecting Lord's Rent in Lezayre.

Tenants resident out of Parish to leave Lord's Rent with sub-tenants.

Penalty for neglect.

¹ Expired.

adjacent garrisons for a soldier or soldiers to commit their bodies into prison, until they pay in their full rent, according to the custom and practice of the Island.

Mortgages.

5. That whereas it hath been observed that several Tenants within this Isle do frequently mortgage a great (and generally the best) part of their Estates into the hands of several occupants, and to keep the whole rent upon themselves, which doth so much disable them and draw them into that poverty, that at length they are forced (being thereby made incapable to redeem the said mortgages) to make an absolute sale thereof for themselves & their Heirs for ever; By which means many good estates have been peicemeiled & imbezelled; and our Rt. Honble. Lord deprived of having good & able Tenants to uphold his ancient Tenements, & to have his rents & other Dues & Duties so intirely paid him as formerly have been done. It is therefore now Ordered and proclaimed that no person or persons whatsoever shall hereafter take any lands in mortgage from any Tenant or Tenants within this Isle, but shall also take a full proportion of the rent with the same at the sight or estimation of the Setting Quest of the Parish, and so pay the same yearly unto the tenant himself or to the Moar of the Parish when the same shall become due, & be demanded from him, and that upon penalty of forfeiting his mortgage or having his Bill declared void that shall be hereafter made contrary to this Order.¹

**Setting
Quest to
apportion
Lord's Rent
on mort-
gagees.**

Usury.

6. That for the avoiding of the several abuses that have heretofore also been committed by such persons as have taken above the interest allowed by the Statute of this Island, out of such moneys as they have laid out upon mortgages & by such oppressive contracts have much impoverished the Tenants in like manner.

**Mortgagees
charging
more than
lawful inter-
est to refund
and be pun-
ished.**

It is therefore also ordered and proclaimed that if any person or persons whatsoever that lay out any money upon mortgages in this Isle shall be found hereafter to take any more Interest upon those mortgages than what the Status of this Isle doth allow, that such person or persons (upon complaints & a due discovery made thereof by four sworn men appointed to estimate & value the said mortgage), shall be compelled & obliged to take & receive the overplus or what the said mortgage will exceed the Interest as aforesaid in part of payment of the principle, and also to be punished and proceeded against as an extortioner besides.²

**Silver
groates to
pass; half
pence and
farthings not
issued by
His Majesty
to be called
in.**

7. That forasmuch as that there was a late Order made & published at the Court, the 24th day of June 1682, that all good old silver groates should pass in the Island, and that all half pennyes & farthings that were not put forth by His Majestie should be called down & not to pass in this Island; yet notwithstanding the said order, it is observed that the shopkeepers and other persons within this Isle doe, to the contrary thereof, refuse to take the said silver groates, & doe receive and pass the said half pennyes & farthings as current & passable money, It is therefore once more proclaimed, that the said order is now again revived and renewed, and that all persons doe take notice thereof and observe the same for the future, under the penaltie therein expressed.³

**Order of 24
June 1628
revived.**

8. That whereas it has been the goodwill & pleasure of our Rt. Honorable Lord for the encouragement of the tenants here to breed good horses within the Island to give & allow a plate of five pounds to be run for by the Manks horses upon the 28th day of July every year, being the birthday of our Honble. Lord Strange.

**Plate of 5*l*.
given by
Lord to be
run for by
Manx
horses.**

It is therefore thought fit that His Honble's. said intention and good inclinacion to advance the interest of his tenants here be made known & published unto them, and that such as have a mind to put in horses to run the said race shall enter their names at the Clerk of the Rolls at or before the iiijth day of July next with the name of the horse he intends to put in, if he have any, and his colour, and whether it be horse, mare, or gelding, otherwise and in default thereof none are to be admitted afterward for this present year.

And that wee may the better acknowledge this and all other blessings which we receive from and under His Honour, lett us with thankful hearts pray for His Honour & our Honable. Lord Strange & their noble race & posterity ever to rule over us (⁴).

R. HAYWOOD.

God bless Kinge James, &
William, Earle of Derby, &c.

¹ Repealed by Act of 1691, Chap. 3.

² Repealed by Usury Act of 1691, Chap. 1.

³ Spent.

⁴ This being an order affecting the Revenue of William II. ninth Earl of Derby Lord of Man would have expired on his death in November 1702, if continued in force so long.

From the Exchequer Book, 1687. No. 62.

These Laws and Orders following were published at the Tinwald Court holdend at St. John's Chappell the 24th day of June, Ano Domi 1687, by the appointment of the Governor, Officers, & 24 Keys then present.

1. First. That whereas there is an Ancient Statute¹ prohibiting any vessel or boate to transport any man that is resident in this Isle (without a Speciall License) out of the land upon paine of forfeiting the vessel and goods, & restoring the man into the land again and paying what debts he oweth unto the Lord, y^t contrary to that Statute some persons have of late made their escape out of the Island to the great abuse and prejudice of the inhabitants to whom those persons were indebted in severall sums of money. Statute prohibiting persons leaving Island without licence, re-published.

It is therefore ordered that the said Statute be again proclaimed at this Court, that all persons may take due notice thereof and observe the same under the penalties therein expressed, for the future that none may plead ignorance of the same hereafter.²

2. That it being an Ancient Customary Law within this Isle that any Widow that either married or miscarried by having a bastard or an illegitimate child in the time of her Widowhood is to lose or be deprived of the benefit of her Widowright in the Estate wherein she was married; and whercas there has been some dispute lately touching the said Customary Law; the two Deemsters & 24 Keys have desired that the said Law be this day proclaimed & made known at this Court, that all persons may take due notice thereof for the future; that the same is to continue & remain in force as hitherto hath done.

Widowright to be *dum sola et casta*, only.

3. That whereas complaint has been made that the Great Enquests of this Island have been often exposed to great trouble by reason the parties have not had timely notice of their meeting whereby they might have their evidences charged in due time & so hath not only occasioned dispute but also hindered the dispatch of business & constrained the said Enquests to second & unnecessary meetings it is ordered and accordingly published, that whosoever shall hereafter have occasion to charge any Enquest to a place of difference, that he cause both the said Enquest and the adverse partie to be charged three days before the day of meeting at least to the end he may provide himself of his evidence as aforesaid in that time; otherwise & in default thereof such person as so fails to give that timely notice is to make satisfacōn to said Enquest and all other persons that are unnecessarily

Three day's notice to be given in proceedings before Great Enquest.

¹ See Orders of 1417 and 1422.

² Repealed by Act of 1737, sec. 9.

troubled, at the discrecon of the Deemsters and to be fined & punished besides as the Governor & Officers shall think fit.

Penalty for
destroying
Partridges
on Ballakillingan and
elsewhere.

4. That whosoever shall be found to destroy, annoy, or kill any of the Partridges either young or old that are set forth in and about Ballakillingan in Kirk Christ Lezayre or in any other place where they do frequent, such person or persons are to be fined in iijl. to the use of the R^t. Honble. Lord of this Isle and to endure a monthe's imprisonment by way of corporal punishment besides.¹

5. That forasmuch as it is observed that Kytes, Ravens, Scar Crows, & Magpies are very destructive and prejudicial not only to the said Partridges, but also unto Lambs, Goslings, Chickens and such like young brood as the Tenants & inhabitants of this Isle have oft complained of that they have been much annoyed by such ravenous creatures.

Rewards for
destroying
Kites, Ravens, &c.

Therefore it is ordered that whosoever shall shoote or kill any Kytes, or Ravens shall for every head they bring in receive ijd. a peece and for every Scar Crow they kill receive jd. per head, and for every Magpie receive ob. per head, which the Moars of the parishes are ordered to pay them accordingly and to receive an allowance for the same upon their accounts. Provided that there be no fraud or cozenage used by those that destroy the said ravenous fowle in bringing in of young ones; which is left to be ordered and redressed at ye Governor's discretion.²

Penalty for
killing game
in Lord's
Warren.

6. That whosoever shall be found to kill or destroy any hares, either with greyhound, mungrell, or hand-gun, within any part of the Lord's warren, that is to say from K.K. Santen River, until Kentraugh River & from thence upwards to the mountains, such person or persons shall be fined in iijl. and shall endure half a year's imprisonment besides the hanging of his Greyhound or Mungrell and the forfeiting of his hand-gun.

Reward to
informer.

And whosoever shall give in any information of such, is to have ijs. vjd. for his paines which the Governor is pleased to see paid as oft as any such information is brought in; and made for his encouragement.³

R. HETWOOD.⁴

At a Tynwald Court holden at St. John's Chappell, in the Parish of Kirk German, in the Isle of Man, the 30th Day of July, in the Year of our Lord God 1691, before the Right Honourable William Earl of Derby, Lord of the said Isle; Rodger Kenyon, Esquire, Governor; the Lord's Councill, Officers, Deemsters, and 24 Keyes, whose Names are subscribed, it is enacted as followeth:

CHAPTER I.

An Act that none shall take above six Pounds for the Loan of an Hundred Pounds for a Year:

Act against
Usury.

Forasmuch as Interest of Money in Loan, being at so high a Rate as ten Pounds⁵ for an Hundred Pounds for a Year, doth not only make Men unable to pay their Debts,

¹ Repealed by Act of 1748, Chap. 5.

² The Rewards in this section mentioned being payable by the Moar out of the Land Revenues ceased in 1736 when the Isle under the limitation of the Act of Parliament 8 James I., passed to James Duke of Athol the heir General of James Lord Strange afterwards seventh Earl of Derby.

³ Repealed by Game Act of 1835.

⁴ This seems to be the last occasion on which declarations of the Common Law were proclaimed at Tynwald.

⁵ See Act of 1649.

and continue the Use of Merchandize and Trade, but their Debts daily increasing, are inforced to sell their Leases, Farmes, and Stocks, at low Rates, to the great Hurt and Prejudice of this Isle; be it therefore enacted by the Right Honourable Lord of this Isle, the Governor, Officers, Deemsters, and twenty-four Keyes,

1. That no Person or Persons from and after the 24th Day of August next ensuing the Date hereof, upon any Contract to be made after the said 24th Day of August, shall take directly *or* indirectly for Loan of Moneys, Wares, Merchandizes, or other Comodities, or for any corrupt Loan, Exchange, Bargaine, Mortgages, or any other deceitfull Way or Means, or other Doings whatsoever, above the Value of six Pounds, for the Forbearance of one Hundred Pounds for a Year; and so after that Rate for a greater or lesser Sum, or for a longer or shorter Time:

2. And that all Bonds, Contracts, and Assurances whatsoever, made after the Time afforesaid, for Payment of any Principal or Money to be lent, or covenanted to be performed upon or for any Usuary, whereupon or whereby there shall be reserved or taken above the Rate of six Pounds in the Hundred as afforesaid, shall be utterly void:

3. And be it further enacted by the Authority afforesaid, That if any Person or Persons whatsoever shall do any Act or Acts, Thing or Things, contrary to the Tenor or Meaning of this Statute, shall forfeit and loose for every such Offence to the Lord of this Isle, and his Heires, the treble Value of the Moneys, Wares, Merchandizes, and other Things so lent, bargained, sold, or exchanged.

CHAPTER II.

An Act that Cotlers and Intackholders shall not keep any more Cattle, Horses, Sheep, &c. than what they have sufficient Grass and Winter Provision for.¹

Whereas it is observed, that there are a certain Sort of Cottagers not People, as Cotlers, Intackholders, and Cottageholders, and such like, as well in the Markett Towns as in several other Places of this Isle, that, out of a covetous and unconscionable Desire to prejudice their Neighbours, and to procure

Cottagers not
to keep more
Cattle than
they can law-
fully support.

¹ Extended by Acts of 1748, Chap. 2, and 1753, Chap. 8.

to themselves an unjust and unlawful Livelyhood, do keep more Cattle, Horses, Sheep, and other Goods, than they have Grass for in the Summer, or other Provision in the Winter Season, whereby they do not only become Trespassers on the Farmers in the Summer, but also betake themselves to dishonest and unlawful Courses, by purloining of Hay and other Fodder for their said Goods in the Winter Season; for Prevention of which Abuses for the future, it is therefore enacted by the Right Honourable Lord of this Isle, the Governor, Officers, Deemsters, and twenty-four Keyes,

All persons
to keep suffi-
cient Fodder
&c. for their
cattle.

1. That no Cotler, Intackholder, or Cottageholder, or any other, either in the Markett Towns, or in any other Place of the Isle, shall hereafter presume to keep any more Goods, viz. Horses, Cows, Oxen, Sheep, or any other such Cattle, than what they have sufficient Pasturage for in the Summer Season, and a sufficiency of Hay or other Fodder in the Winter Season, so as that they may not be troublesome or offensive to their Neighbours by trespassing or purloining as afforesaid :

Fodder Jury.

2. And to the End that this Law may be the better observed, be it further enacted by the Authority afforesaid, That the severall Coroners of the respective Sheadings of this Isle doe impanel and swear four honest and judicious Men (three of them at least to be Farmers) in every Parish upon the 25th Day of March in every Year to be a standing Jury, to enquire and make Inspection into what Provision of Grass or Fodder the said Cottlers, Cottageholders, Intackholders, or such like Persons, do make for their said Horses, Cows, Sheep, or other such Cattle, as well in the Summer as in the Winter Season, and to make true Report thereof in Writing under their Hands to the Governor and Officers at the first Courts that are holden after the 25th Day of March and the 29th September in every Year, or at any other Court or Courts when they are required to do the same, that so the Court may judge whether such Cottlers, Cottageholders, Intackholders, or such like Persons as afforesaid, have made sufficient Provision for the said Horses, Cattle, Sheep, and such like Goods in the Summer as well as in the Winter Season ;

Overplus
Cattle to be
by
oner.

3. And if the Court do find (upon the Report of the said four Men as afforesaid) any Cottler, Cottageholder, Intackholder, or the like, that hath or doth keep any more Horses, Cows, Sheep, &c. than what he hath made sufficient Provision for as afforesaid, Order is to be granted out from the said Court, directed to the Coroner of the Sheading where

such Cotlers, Cottageholders, or Intackholders do live and reside, to make saile of such Horses, Cows, Sheep, &c. as are not provided for as aforesaid, according to the Price current or Market Rates at that Time, and to deliver the Price to the Owner of the said Goodes, rebating and allowing out of every Beast so sold xij*d*. ʒ Pound to the Coroner for his Paines and Trouble therein;

4. And if the said Standing Jury be found to be any way remiss or partiall in their Duty and Proceeding herein, upon Complaint and Proofoe thereof made at any Court they are to be fined and punished at the Discretion of the Governor and the rest of the Officers.

Jury liable to
punishment
for Neglect.

CHAPTER III.

An Act for proportioning of Rents on bought Lands and Mortgages.¹

That whereas it hath been observed that severall Tennants within this Isle do frequently sell and mortgage some Parts and Parcells of their Lands and Tennements, and do sett out but a small Part of the reserved Rent due to the Right Honourable Lord of this Isle along with the same, and keep a greater Part thereof upon themselves, which in Process of Time draws them into Poverty, and forceth them or their Heires (being overburthened with Rent) to sell of or mortgage that Part of their Lands and Tennements which remains in their Hands in Parts or Piecemeils, by which means good Estates have been embezzled, and his Honour's Rents and Services not so duly and entirely paid him as formerly, or as it ought to be; be it therefore enacted by the Right Honourable Lord of this Isle, the Governor, Officers, Deemsters, and 24 Keyes,

Preamble.

1. That no Person or Persons whatsoever for the future shall either sell or mortgage any Part or Parcell of his Lands or Tenements, but shall also sett out a proportionable Part of the reserved Rent along with the same, at the Sight or Estimation of the Setting Quest of the Parish where such Lands and Tenements are situate or do lye, and that to be done and certified under the Hands of the Setting Quest upon Oath before the Sayle or Mortgage made of such Lands and Tenements be allowed of and confirmed by the Court;

Lord's Rent
to be appor-
tioned by
Setting
Quest on
alienation.

Sale not to be
confirmed
until done.

¹ See Act of Settlement, 1704.

Payment of Lord's Rent. 2. And such Purchaser or Mortgagee is to pay the said Proportion of Rent so set upon him as aforesaid, unto the Moar of the Parish (in presence of the Chief Tennant) yearly when the same is due and demanded :

Sale or Mortgage void for default. 3. And if any Person or Persons whatsoever shall presume hereafter to make Sayle or Mortgage of any Part of his Estate contrary to this Act, he or they so offending are to be fined and punished at the Discretion of the Governor at every Sheading Court as oft as any such happens, and the said Sayle or Mortgage to be void in Law to all Intents and Purposes whatsoever.

CHAPTER IV.

An Act for establishing of Wages to Artificers, Tradesmen, and other Workmen and Labourers.¹

Tailor's Wages. 1. Also it is enacted by the Right Honourable Lord of this Isle, the Governor, Officers, Deemsters, and twenty-four Keyes, That every Head Taylor working by the Day shall have for his Wages, with Meat and Drink, fourpence; and every Apprentice Taylor twopence (with Meat and Drink); and every Taylor working for Servants shall have, with Meat and Drink by the Day, twopence, and his Apprentice a penny, and not above.

Woolen Weaver. 2. Also, every Woolen Weaver shall have for every Yard of Woolen Cloath for Blanketts sufficiently wrought an Halfpenny, for every four Great Hundred Breadth of Kear or Russett an Halfpenny Farthing, for every Yard of Medley or mixed Cloth, being five Hundred a Penny Farthing, that is for every Great Hundred a Farthing.

Linen Weaver. 3. Also, that every Linnen Webster shall for every Yard of Linnen Cloath sufficiently wrought according to the old Custome, viz. for every Great Hundred two pence and so proportionable a Farthing for every Great Hundred according to the fineness or courseness of the Yarn.

Walker or Fuller. 4. Also, every Walker or Fuller of Cloath shall have for every Yard of Blankett Cloth sufficiently full'd an Halfpenny of the Great Hundred, for every Yard of Kear or Russet Cloth an Halfpenny Farthing, for every Yard of Medley or mixt Cloath a Penny Halfpenny, and for every Yard of white Cloath a Penny.

¹ The Act of 1777 Chap. 1, repeals the Act of 1609 for the like purpose but does not refer to this Act.

5. Also, every Mason, Carpenter, Shipwright, Hooper, Slater, Slater, Thatcher thatching after the English Manner, Joiner, Thatcher, and all other such Tradesmen or Handycraftmen, shall have and Joiner. by the Day, with Meat and Drink, Fourpence; and without Meat and Drink, Eightpence, and not above; always provided that they be sufficient Workmen and Masters of their Trade.

6. Also, every Mower doing his Work sufficiently (and Mower. two to an Acre, or one to a Daymoth) shall receive for his Day's Work, with sufficient Meat and Drink, Fourpence, and without Meat and Drink, Twelvpence, and no more; and that to be in the Farmer's Choice which to give.

7. Also, every Blacksmith shall have for laying of every Blacksmith. Coulter a Penny, for making of every new Coulter Twopence, for making of every new suck Twopence, and for making and laying of every Wing an Halfpenny.

8. Also, that all common Labourers, as Gardeners, Labourers. Hedgers, Reapers of Corn, Haymakers, and such like, shall have, with Meat and Drink, Two pence $\frac{1}{2}$ Day, and without Meat and Drink Fourpence $\frac{1}{2}$ Day, and not above.

9. And it is further enacted by the Authority aforesaid, Hours of That all and every the foresaid Tradesmen or Handycraft- Labour. men and Labourers, labouring by the Day as beforesaid, shall from the xxvth Day of March, commonly called Lady Day, in Lent, till the 29th Day of September in every Year, come to their Work by six of the Clock in the Morning, and not give over or leave off their Work till six of the Clock in the Afternoon; and from the 29th Day of September till the 25th Day of March, that they begin their Work from Sunrise, and not give over till Sunsett, except it be Taylors and Shoemakers, who do work with Meat and Drink by the Day as afforesaid, that they be obliged to work till Eight of the Clock in the Afternoon both Summer and Winter; and if any of the said Trades- Refractory men, Handycraftmen, or Labourers, do refuse to work for Labourers or the Rates and Wages above specified, and sett down, or Tradesmen do deny to come to work when they are sent for by the punished. Farmers, or any other that have Occasion to use them, (except they be employed in another Man's Work,) and Complaint and due Proof thereof be made to the Governor or the Deemsters, or any of them, such Tradesmen or a bourners are thereupon to be immediately comitted into Prison, where they are to continue under close Confinement till they give in Bonds to yield due Obedience to this Act, and to be further fined and punished at the Governors and

Penalty on
Employer
giving Men
more than
allowed.

Officers discretion : And if any Farmer, or any other, having occasion to use any of the said Tradesman and Labourers shall give any greater Wages than is above sett down, every such Person or Persons so offending contrary to the true Intent and Meaning of this Act shall forfeit for every Time so much to the Lord of the Isle as the whole Wages or Dayes Work cometh unto ; provided nevertheless, that for the Encouragement of such Artificers, Handycraftmen, and Labourers, as do come over here out of England, Ireland, and other Places from beyond Seas to reside and work in this Isle, shall, notwithstanding this Act, have and receive for their Work and Wages by the Day so much as the Governor and the Lord's Councell shall think fitt to sett down and allow.

CHAPTER V.

An Act for making and repairing of Fences.

Preamble.

Whereas there have been severall good Laws and Statutes heretofore made (as well for the Encouragement of good Husbandry in this Isle, as also for the Preservation of good Neighbourhood betwixt Tennant and Tennant) that every Person should fence and inclose his Lands as well in the Winter as in the Summer Season, and by that Means that every Man might reap the Benefitt and Advantage of his own Estate ; and for that it is observed, that the said Laws and Statutes are not so duly kept and put in due Execution as they ought to be ; and that one chief Reason thereof is, because there are some bad and ill disposed Persons who will not join with their Neighbours in making up and repairing their Part or Proportion of their Fences according as they are obliged by Law to do, but will rather suffer their Fences to lye open, whereby they may become Trespassers on their Neighbours Lands with their Cattle, Horses, Sheep, &c., and so not only impoverish their said Neighbour, but also hinder him from fencing and improving his Lands according to the Intent of the said Statutes : For Remedy whereof for the future, be it enacted by the Right Honourable the Lord of this Isle, the Governor, Officers, Deemsters, and twenty-four Keyes,

Governor, or
Deemster
may order
parties to
join in mak-
ing up Boun-
dary Fences.

1. That if any Person or Persons whatsoever shall for the future inclose or fence any Part or Parcel of his Lands, and be willing to make such Fences thereupon as the Law requires, and that any of his Neighbours, whose Lands and Tenements do abutt and adjoin unto him, and are by Law obliged to make up the said Fences with him, do

refuse to join therein, That such Person or Persons is to obtain a Token from the Governor or Deemsters to require his or their said Neighbour or Neighbours to join with him in making up or repairing the said Fences according to the Height and Breadth hereafter set down within such a convenient Time as the Governor or Deemsters shall appoint :

2. And in case his said Neighbour or Neighbours do neglect or faile to do the same within such limited Time as shall be so set down by the Governor or Deemsters as afforesaid, that then, and in Default thereof, such Person or Persons is to employ Labourers to make up his said Neighbour's Part or Proportion of the said Fence, and to keep a just Account of the Cost and Charges thereof, and make Oath of the Truth of the said Account (if Occasion require) before the Governor or Deemsters, and thereupon Execution is to be immediately granted him by the Governor or Deemsters for levying the said Charges, by taking the Pawn of his said Neighbour or Neighbours, and selling the same forthwith to satisfy the Charges afforesaid, without any further Suit ;

If order of Court be disregarded Pltff. may make up fence and recover costs from Deft.

3. And if he or they do refuse to deliver a Pawne, he or they are to be committed by a Soldier according to the ordinary Course of Law.

Refusal to deliver Pawn.

4. And whereas formerly it was ordered, That all Fences were to be only five Foot high, it is now upon further consideration hereby enacted by the Authority afforesaid, That all Fences for the future shall be made five Foot and a Half high, with a Trench at the Bottome of one Foot and a Half deep, and three Foot broad ; or els a Fence of six Foot high in the Perpendicular where a Trench cannot be made ; and that all Trenches (in such Parts of the Island where they are used instead of a Fence) are for the future to be six Foot broad in the Top, and three Foot deep, any former Law or Statute made to the contrary notwithstanding.

Fences to be five feet and a half high, besides Trenches.

Edw. Christian, Deemster,
Tho. Norris, Deemster.

Roger Kenyon,
J. Rowe,
P. Heywood.

The Twenty-four Keyes :

Charles Christian,
Rich. Stevenson,
Arthur Calcot,
Rob. Murrey,

Thurstan Tyldesley,
Tho. Woods,
Sil. Ratcliffe,
Pat. Christian,

Tho. Huddleston,	Nich. Thompson,
John Garret,	Tho. Christian,
John Bridson,	William Christian,
Nich. Christian,	Dan. Mylrea,
John Wattleworth,	Pat. Gelling,
John Kaighin,	Cha. Moore,
John Curlet,	John Quilliam,
Tho. Stevenson,	John Moor.

Be it enacted as it is desired, DERBY.

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INSULA MONÆ.

*At a Tynwald Court holden at St. John's Chappell, in the Parish of Kirk German, the 7th Day of December, in the Year of our Lord 1696, before the Honourable Nicholas Sankey Esquire, Governor of the said Isle, the Officers, Deemsters, and 24 Keyes of the same, whose Names are subscribed, it is enacted as followeth :*

CHAPTER I. (a)

An Act against Non-Residence :

Preamble.

Whereas it is observed, that severall great Inconveniencies have attended this Isle by reason of the Bishop, Archdeacon, Clergy, Temporall Officers, Soldiers, and others, often withdrawing themselves from their respective Dutys within the same ; for Prevention whereof for the future, be it enacted by the Governor, Officers, Deemsters, and 24 Keyes afforesaid,

Bishop and other officials absenting from Living or office above four Months in the Year, to forfeit half year's Income.

1. That every Bishop, Archdeacon, Parson, Viccar, Curate, or others, who now hold and enjoy, or hereafter shall hold and enjoy the Bishoprick, Archdeaconry, or any Parsonage, Vicarage, Curacy, or such like Ecclesiasticall Promotion within this Isle, to the Value of tenn Pounds ꝓ Ann. or upwards ; as also every Temporall Officer, Soldier, or other Person or Persons having and enjoying any Office, Place, or other Employment from and under the Right Honourable Lord of this Isle, to the Value of three Pounds ꝓ Ann. or upwards, shall, from and after the first Day of May next ensuing the Date hereof, inhabit and personally reside within this Isle in and upon their said respective Livings, Promotions, Benefices, Offices, Places, or other Employments, and if they or any of them shall at any Time

*is act repealed so far as relates  
the incumbents of benefices  
"11. Non-residence act. 1897-98. 3*

after the said 1st Day of May be non-resident, or not inhabit within this Isle, in and upon their said respective Livings, Promotions, Benefices, Offices, Places, or other Employments, but shall be found wilfully to absent him or themselves from his or their Dutys in the same (Wind, Weather, Health, and convenient Shipping permitting) above the Space of four Months (to be accounted at several Times) in any one Year, commencing always upon the said 1st Day of May in every Year, such Person or Persons so offending shall (for the first Offence) forfeit and loose the full Value of one Half Year's Profit, Benefit, and Advantage of his or their said Livings, Promotions, Benefices, Offices, Places, or other Employments, to be levied, collected, and disposed of in Manner and Form as in and by this Act is hereafter mentioned and expressed :

2. And if any Person or Persons before-mentioned be found to offend in the like Nature as is above declared and expressed at any Time afterwards, he or they so offending shall for every such second Offence, and for every other Offence of that Nature which he or they shall comitt afterwards, forfeit and loose the full Value of one whole Years Profit, Benefit, and Advantage of his or their said Livings, Promotions, Benefices, Offices, Places, or other Employments aforesaid, and be declared and made incapable of receiving any further Benefit or Advantage thereof, until such Time as he or they so offending shall return to his or their said respective Dutys as aforesaid.

Second  
Offence  
whole Year's  
Income.

3. And be it further enacted and declared by the Authority aforesaid, That all such Forfeitures are from Time to Time as they shall accrew or happen to be levied, taken, collected, and received by Order of the Governor, Deputy Governor, and the Lord's Councill for the Time being, directed to the Coroner or Coroners of the Sheading or Sheadings where such Forfeitures shall happen or accrew, and the same when so levied, collected, and received as aforesaid, to be employed and disposed off for such pious, charitable, and public Uses within this Isle, as the said Governor, Deputy Governor, and Councill, shall have Directions from the Lord of this Isle, for or concerning the same.

Forfeitures  
to be applied  
to charitable  
Uses.

## CHAPTER II.

An Act for repealing the Laws made against Aliens.

Whereas by two severall antient Laws, the one of the Year 1422 and the other of the Year 1429, incerted in the

Ancient  
Laws as to  
Aliens 1422  
& 1429.

Book of Statutes of this Isle, it is provided and declared, That all Aliens residing within the said Isle shall make Faith and Fealty to the Lord; and if any such Alien be so resident, and make no Faith or Fealty to the Lord when he dyeth, (whose Tennant soever he be) the Lord shall have his Goods by his Prerogative: Now it being the good Will and Pleasure of the Right Honourable the Lord of this Isle to have the said Laws repealed, for the Encouragement of all Foreigners and Strangers to reside here, be it therefore enacted by the Authority aforesaid,

Repealed.

1. That the before-recited Laws, and all Things mentioned or intended in and by the same, shall, from and after the Day of the Date hereof, be utterly repealed, made void, and of none effect, to all Intents and Purposes whatsoever;

Foreigners  
&c. to enjoy  
same advantages  
as  
English  
Subjects.

2. And that all and every Person or Persons, whether Subjects of the Kingdomes of Scotland or Ireland, or any Foreigners or Strangers, of any other Kingdoms or Nations (their Prince being in amity with the Crown of England) coming into this Isle to reside, shall for the future have and enjoy the same Imunities, Priviledges, and Advantages that any of the Subjects or Inhabitants of England have or hereafter shall or may have and enjoy by the Laws and Customes of this Isle, any other Law, Usage, or Custome heretofore practiced to the contrary notwithstanding.

Jno. Parr,  
Dan. Mylrea,

N. Sankey,  
J. Rowe,  
Ri. Stevenson,  
Tho. Huddleston.

Cha. Christian,  
Nich. Christian,  
John Wattleworth,  
Cha. Moor,  
Dav. Murrey,  
Nich. Thompson,  
Sill. Ratcliffe,  
John Bridson,  
Tho. Christian,  
Will. Christian,  
John Curlett,

John Kaighin,  
Cæsar Wattleworth,  
John Oates,  
Pat. Christian,  
James Bancks,  
James Christian,  
Ro. Christian,  
James Oates,  
Ro. Curghey,  
Tho. Woods.

I am well pleased with these severall Acts, and do confirm the same, and will that they be published in due Forme upon the Tynwald Hill.

DERBY.

*At a Tynwald Court*

*Holden at St. John's Chappell the 9th Day of August 1697,  
before the Deputy Governor of this Isle, the Officers,  
Deemsters, and 24 Keyes, then and there present.*

The two Acts aforegoing, viz. one against Non-residence, and the other for repealing the Laws made against Aliens, were publickly proclaimed upon the Tynwald Hill according to antient Forme and Custome; as Witness our Hands the Day and Year within written.

P. Heywood,  
J. Rowe,  
Jno. Parr,

Tho. Huddleston,  
Dan. Mylrea.

Tho. Stevenson,  
Nich. Christian,  
Sill. Ratcliffe,  
John Wattleworth,  
Dav. Murrey,  
Will. Christian,  
Tho. Christian,  
John Kaighin,  
Nicho. Thompson,  
John Bridson,

Pat. Gellin,  
John Curlet,  
John Oates,  
Cæsar Wattleworth,  
James Bancks,  
Tho. Woods,  
James Christian,  
Ro. Christian,  
Ro. Curghey,  
— Curlett.

~~~~~  
*At a Convocation of the Clergy at Bishop's Court, the
third of February, 1703 :*

*In the Name of our Great Lord and Master, the Lord
Jesus Christ, and to the Glory and Increase of his
Kingdome amongst Men.*

We, the Bishop, Archdeacon, Vicars Generall, and Clergy of this Isle, who do subscribe these Articles, that we may not stand charged with the Scandals which wicked Men bring upon Religion while they are admitted to and reputed Members of Christ Church, and that we may by all laudable Means promote the Conversion of Sinners, and oblige Men to submit to the Discipline of the Gospel; and lastly, that we may provide for the Instruction of the growing Age in Christian Learning and good Manners, we have formed these following Constitutions, which we oblige ourselves (by God's Help) to observe, and to endeavour that all others within our severall Cures shall comply with the same :

Declaration
of Clergy.

Confirma-
tion.

1. First: That when a Rector, Vicar, or Curate, shall have any Number of Persons under Twenty of his Parish desirous and fit to be confirmed, he shall give the Lord Bishop Notice thereof, and a List of their Names, and shall suffer none to offer themselves to be confirmed, but such as he has before instructed to answer in the necessary Parts of Christian Knowledge, and who, besides their Church Catechism, have learned such short Prayers for Morning and Evening as shall be immediately provided for that Purpose.

Persons not
admitted to
Sacrament
until con-
firmed.

2. That no Person be admitted to the Holy Sacrament till he has first been confirmed by the Bishop, (or in case of his Lordship's Absence or Indisposition,) to bring a Certificate from the Archdeacon or Vicars Generall that he is duly qualified for Confirmation.

Persons not
to Marry till
they have
received
Sacrament.

3. That no Person be admitted to stand as Godfather or Godmother, nor to enter into the Holy State of Matrimony, till they have received the Holy Sacrament of the Lord's Supper, unless being an Orphan there be a Necessity for his speedy Marriage; and this to be approved of and dispensed with by the Ordinary for a limited Time to fit himself for the Sacrament; and where any of them are of another Parish, they are to bring a Certificate from their proper Pastor.

Instructions
previous to
Confirma-
tion.

4. That all Children and Servants unconfirmed of such a Division of the Parish as the Minister shall appoint (which shall be at least one-fourth Part thereof) shall constantly come to Evening Prayers to be instructed in the Principles of the Christian Religion; at which Time every Rector, Vicar, or Curate, shall employ at least Half an Hour in their Examination, and explaining some Part of the Church Catechism; and that all Parents and Masters which shall be observed by their Children's and Servant's Ignorance to be grossly wanting in their Duty in not teaching them this Catechism, shall be presented for such Neglect, and severely punished: And to the End that this so necessary an Institution may be religiously observed, every Minister shall always (by the Assistance of the Churchwardens) keep a Catalogue of such Persons as are not confirmed, and is hereby required to present those that are absent without urgent Cause, who shall be fined *ijd.* the first Sunday they omit to come, *iiijd.* the second, and *vjd.* the third; in which Case the Parents are to be answerable for their Children, and Masters for their Servants, unless where it appears that the Servants themselves are in Fault.

5. For the more effectuall Discouragement of Vice, if any Person shall incurr the Censures of the Church, and having done Pennance shall afterwards incurr the same Censures, he shall not be admitted to do Pennance again (as has been formerly accustomed) untill the Church be fully satisfied of his sincere Repentance; during which Time he shall not presume to come within the Church, but be obliged to stand in a decent Manner at the Church Door every Sunday and Holy Day the whole Time of Morning and Evening Service, untill by his penitent Behaviour, and other Instances of sober Living, he deserves and procures a Certificate from the Minister, Churchwardens, and some of the soberest Men of the Parish, to the Satisfaction of the Ordinary, which if he does not so deserve and procure within three Months, the Church shall proceed to Excommunication; and that during these Proceedings the Governor shall be applied to not to permit him to leave the Island; and this being a Matter of very great Importance, the Ministers and Churchwardens shall see it duly Performed, under Penalty of the severest Ecclesiasticall Censures; and whenever any daring Offender shall be and continue so obstinate as to incurr Excommunication, the Pastor shall affectionately exhort his Parishioners not to converse with him upon Peril of being Partaker with him in his Sin and Punishment.

6. That the Rubrick before the Communion concerning unworthy Receivers thereof may be religiously observed, every Rector, Vicar, or Curate, shall first privately, and then publickly, admonish such Persons as he shall observe to be disorderly Livers; that such as will not by this Means be reclaimed may be hindred from coming to the Lord's Table, and being presented, may be excommunicated; and if any Minister knowingly admit such Persons to the Holy Sacrament, whose Lives are blemished with the Vices of Drunkenness, Tipling, Swearing, Prophaneing the Lord's Day, Quarrelling, Fornication, or any other Crime, by which the Christian Religion is dishonoured, before such Persons have publickly acknowledged their Faults, and solemnly promised Amendment, the Minister so offending shall be lyable to severe Ecclesiasticall Censure.

7. If any Moar, Sergeant, Proctor, or any other Person, shall presume on the Lord's Day to receive any Rent or Sums of Money, both he and the Person paying such Rent or Sum of Money shall be lyable to Ecclesiasticall Censure, and shall alwaies be presented for the same.

8. That the Practice of Commutation, as has been formerly accustomed, viz. of exempting Persons obnoxious to

Church Censures.

Excommunication.

Persons living disorderly Lives not admitted to Sacrament.

Money not to be received on Lord's Day.

Commutation abolished.

the Censures of the Church from Pennance, and other Punishment appointed by Law, on Account of paying a Sum of Money, or doing some charitable Work, shall for the future cease.

Children to
be sent to
School.

9. For the promoting of Religion, Learning, and Good Manners, all Persons shall be obliged to send their Children as soon as they are capable of receiving Instruction, to some petty School, and to continue them there until the said Children can read English distinctly, unless the Parents give a just Cause to excuse themselves, approved of by the Ordinary in open Court; and that such Persons who shall neglect sending their Children to be so taught shall (upon a Presentment made thereof by the Minister, Churchwardens, or Chapter Quest) be fined in one Shilling $\frac{1}{4}$ Quarter to the Use of the Schoolmaster, who may refuse to teach those Children who do not come constantly to School (unless for such Causes as shall be approved of by the Minister of the Parish), and their Parents shall be fined as if they did altogether refuse to send them to Schoole.¹

Fine for
Neglect.

School-
master's
Allowances.

10. And for the further Encouragement of the Schoolmasters, they shall respectively receive, over and above the Sallarys already allowed them, Sixpence Quarterly from the Parents of every Child that shall be taught by them to read English, and Ninepence Quarterly from such as shall be taught to write;² which Sums being refused, the Sumner shall be ordered to require punctuall Payment within fourteen Days, and upon Default hereof they are to be comitted till they Submit to Law.

Poor Child-
ren to be
taught gratis,

11. Notwithstanding where the Parents or Relations are poor, and not able to pay as afforesaid, and this be certified by the Minister and Churchwardens of the Parish to the Ordinary, such Children are to be taught Gratis.

And on
Sundays.

12. And whereas some of the poorer Sort may have just Cause and their Necessitys require it, to keep their Children at Home for severall Weeks in the Summer and Harvest, such Persons shall not be lyable to the Penaltys afforesaid; provided they do (and are hereby strictly required to) send such Children during such absence from Schoole every third Sunday to the Parish Church at least one Hour before Evening Service, there to be taught by the Schoolmaster to prevent losing their learning; and if any Schoolmaster shall neglect his Duty, and Complaint be made and proved, he shall be discharged, and another placed in his Stead, at the Discretion of the Ordinary: And every Rector, Vicar and Curate, shall the first Week of every Quarter visit the petty Schoole, and take an Account in a Book of the Improvement of every Child, to be produced as often as the Ordinary shall call for it.

Rector,
Vicar, or
Curate, to
visit School
quarterly.

Names of
Persons
absenting
from Church
to be entered.

13. For the more effectuall Suppression of Vice, &c. the Minister and Churchwardens and Chapter Quest shall, the last Sunday of every Month after Evening Prayers, set down in Writing the Names of all such Persons as, without

¹ Repealed by The Elementary Education Act, 1872.

² Altered as to School fees by Act of 1813, Chap. 3.

just Cause, absent themselves from Church; of Parents, Masters, and Mistresses, who neglect to send their Children and servants to be catechized; of Parents and Guardians who send not their Children to Schoole; and all other Matters they are bound by their Oathes to present; and that they may conscientiously discharge their Duty, the Articles of Visitation are to be read to them at every such Meeting, and this to be done under Pain of the severest Ecclesiasticall Censures.

14. Now forasmuch as some of the Orders and Constitutions in this Synod agreed unto are such as do require the Authority of the Civil Power to make them effectual to the Ends they are designed, the Bishop and Archdeacon are earnestly desired to procure Confirmation from the Lord, his Councell, and the 24 Keyes, to the Glory of God, and Welfare of this Church, and for the better Government of the Church of Christ, for the making of such Orders and Constitutions as shall from Time to Time be found wanting; and that better Enquirey may be made into the Execution of those that are in force, there shall be (God willing) a Convocation of the whole Clergy of the Diocese on Thursday in Whitsun Week every Year after this, at the Bishop's Chappell, if his Lordship be within this Isle, or as soon as conveniently after his Return; and that by these Constitutions we may more effectually oblige ourselves and others, we do each of us subscribe our Names this 3d of February 1703.

Convocation
to be held on
Thursday in
Whitsun-
week an-
nually.

Tho. Sodor and Man,	Rob. Parr, Vicar General,
Sam. Wattleworth, Arch- deacon,	John Curghey, Vicar General.

Hen. Norris,	Tho. Allen,
Ewan Gill,	Sam. Robinson,
William Walker,	Robert Fletcher,
John Parr,	John Tubman,
John Cosnahan,	John Christian,
J. Woods,	Tho. Christian.
William Gell,	
Math. Curghey,	



*At a Tynwald Court holden at St. John's Chappell the
4th Day of February 1703-4.*

Confirma-
tion by Le-
gislation.

The before Constitutions being this Day offered by the Lord Bishop and Archdeacon of this Isle unto us the Governor, Officers, and 24 Keyes, for our Approbation, and having perused the same, do find them very reasonable, just, and necessary, and do therefore approve of and consent to them as far as concerns the Civil Power.

John Parr,
Dan. Mylrea.

Robert Mawdesley,
Chris. Parker,
J. Rowe,
Will. Ross,
John Bridson.

Tho. Stevenson,
Cha. Moor,
Ewan Christian,
Tho. Christian,
John Wattleworth,
William Christian,
Sill. Ratcliff,
John Bridson,
James Bancks,
Robert Christian,

James Christian,
John Oates,
John Harrison,
Tho. Corlett,
James Oates,
Robert Curghey,
Nicho. Christian,
Dan. Lace,
Robert Moore.

I am well pleased with the before Constitutions, and do confirme the same, and require that they be published at the next Tynwald Court in usuall Manner.

DERBY.

*At a Tynwald Court holden at St. John's Chappell the
6th Day of June Anno Domini 1704.*

The before going Constitutions were this Day publickly proclaimed upon the Tynwald Hill according to antient Forme and Custome. As witness our Hands the Day and Year above written,

John Parr, }
D. Mylrea, } Deemsters.

Robert Mawdesley,
Tho. Sodor and Man,
Chris. Parker,
J. Rowe,
Will. Ross,
John Bridson.

J. Stevenson,
Ewan Christian,
William Christian,
Cha. Moor,
Tho. Stevenson,
James Christian,
John Bridson,
John Wattleworth,
Robert Christian,
Tho. Christian,

Jates Oates,
Robert Curghey,
John Curghey,
John Oates,
Dan. Lace,
James Bancks,
John Harrison,
Tho. Corlett,
John Wattleworth.



An Act for the perfect Settleing and Confirmation of the Estates, Tenures, Fines, Rents, Suits, and Services of the Tennants of the Right Honourable James Earl of Derby, within his Isle of Man, passed at a Tynwald Court holden at St. John's Chappel, within the said Isle, the 4th Day of February in the Year of our Lord 1703, by the said James Earl of Derby, Lord of the said Isle, Robert Mawdesley, Esquire, Governor, and the rest of his said Lordship's Officers, and 24 Keyes, the Representatives of the said Isle.¹

Whereas severall Disputes, Questions, and Differences have heretofore arisen and been contested between the Lords of the said Isle and their Tennants, touching their Estates, Tenures, Fines, Rents, Suites, and Services, to the great Prejudice of the Lords, and Impoverishment of the Tennants and people there, who by that Means have been discouraged from making such Improvements as their Estates were and are capable of; for the absolute and perpetual ascertaining whereof, and the avoiding all Ambiguities, Doubts, and Questions that may or might at any Time hereafter arise or grow touching or concerning the same, Proposals were made unto the said James Earl of Derby, now Lord of the said Isle, at

Proposition
to James
Earl of

¹ Confirmed by Act of 1777 Chap. 3.

Derby by
Commis-
sioners.

Lathome, the 8th Day of September last past, by Ewan Christian, of Unerigg, in the County of Cumberland, Esquire, John Stevenson of Balladoole, and Ewan Christian of Lewaige within the said Isle, Gentlemen, who by an Instrument under the Hands of the 24 Keyes now remaining upon Record, were impowered to treat concerning the same, as well for and on the Behalf of themselves as all and every the Tennants within the said Isle, in Manner following :

Fines to be
paid on Con-
firmation of
Tenures.

1. First, That in case his Lordship would be pleased to declare and confirm unto his Tennants their antient customary Estates of Inheritance in their respective Tenements, descendable from Ancestor to Heir according to the Laws and Customes of the said Isle, that then the said Tennants should in consideration thereof advance and pay unto his said Lordship the same Fines which they severally and respectively paid for their several and respective Tenements at the Generall Fining, which was in or about the Year of our Lord one thousand six hundred forty and three; (except where any Tennant or Tennants have or hath one or more Life or Lives in being, and that then and in such Case he or they should severally and respectively pay Two-thirds only of the said generali Fine for their respective Tenements.

Fines to be
paid on
Alienation.

2. Secondly, That upon the change of any Tennant by Death or Alienation, the next and succeeding Heir or Alienee should pay unto the Lord of the said Isle for the Time being, the third Part of the said intire Sum which was paid for a Fine at the said Generall Fining in Manner following; that is to say, in case of the change of a Tennant by Death, then the said Fine should be paid within twelve Months after the Death of such Tennant; and in case of the change or removal of a Tennant by Alienation, then the same should be paid immediately after such Alienation made, proportionably to the Lands and Tenements which should descend or be aliened, and this to continue for ever hereafter as a fixed and certain Fine upon every Descent and Alienation; provided nevertheless, that all Intacks, Cottages, and Milnes, which by the Laws and Customes of the said Isle were and are reputed Chattels, might be chargeable with Debts, and devisable by Gift, Grant, Will, or Assignment, as formerly accustomed, paying such Fines respectively as were paid at the General Fining aforesaid, to wit, the whole Fine where there were no Lives in being,

Intacks, Cot-
tages, and
Milns, charg-
able with
Debts, and
devisable by
Will, &c.

and two Parts thereof only where there were, and still are one or two Lives in being, and a third Part of the said Generall Fine for ever hereafter upon every Descent or alienation as afforesaid.

3. Thirdly, That the Tennants of the Abbey Lands, as well as the Lord's Tennants, should be included in the said Proposals, they and every one of them paying the same Fines that were agreed for upon their late Compositions or Leases made in or about the Year of our Lord one thousand six hundred sixty and six, (except such as have one or more Life or Lives yet in being to pay two Parts only of the said Fine now, and a third Part thereof always afterwards, upon the Admittance of any new Tennant, either upon Death or Alienation, as afforesaid :) and also yielding, paying, performing, and doing the annuall Rents, Customes, Suites, and Servises as formerly and anciently accustomed: And that the Tythes arising out of the Abbey Demeasnes, and reserved by James late Earle of Derby upon the Compositions by him made in the Year one thousand six hundred fourty and three, and afterwards by Charles late Earle of Derby, granted to Bishop Barrow (since deceased) and his Successors for the Use of the Clergy of the said Isle, should be reserved and for ever hereafter payable to them.

Abbey Tennants included in Proposals.

Reserving ancient Duties, &c.

4. Fourthly, That the double Rents of the Quarterlands as they were then payable, together with all other Rents, Suites, and Servises, payable out of those, or any other Estates within the said Isle, should be reserved and payable for ever hereafter as formerly to the said James Earle of Derby, his Heirs and Assignes, or to such other Person or Persons as for the Time being should be Lord of the said Isle; and that the antient Boons and Carriages payable by the respective Tennants should be considered at a Tynwald Court.¹

Double Rents of Quarter Lands reserved.

5. Fifthly, That if any Tennant should then after pass away any Part of his Estate, either to any of his Children, or other Person whatsoever, by Gift, Grant, Assignment, or any other Deed or Contract whatsoever, whereby to divest himself of the Premises, that the same should be esteemed and accounted as an Alienation within the Intendment of the said Proposals;

What shall be counted an Alienation.

¹ See Supplemental Act of Settlement of 1704.

Mortgagee to
be entered as
Tennant after
five Years &
Alienation
Fine paid.

Equity of
Redemption,
twenty-one
Years.

Mortgages to
be entered in
six Months
after Execu-
tion.

New Intacks
subject to
Fine to the
Lord.

Alienation
Fines in
respect to
Intacks &
Milns.

Intacks and
Cottages
taken from
Highways,

Or if any Tennant who then had mortgaged, or should thenceafter mortgage, all or any Part of his Messuages, Lands, Tenements, Milns, Cottages, Intacks, or other Hereditaments, unto any Person, and should not actually redeem the same to his own proper Use within the Space of five Years next after the Commencement of the said Mortgage, that then such Mortgage should be likewise looked upon and reputed as an Alienation, and the Mortgagee should be admitted Tennant, and his name entered into the Court Rolls, and should pay the third Part of the general Fine charged and chargeable upon the said Messuages, Lands, Tenements, Milns, Cottages, Intacks, and Hereditaments, so mortgaged or to be mortgaged as afforesaid: Provided nevertheless, that the Mortgagor shall have the Power or Liberty of Redemption still remaining in him, and is to be restored to the Possession of the Premises by Law or Order of the Court of Chancery as the Matter will appear in Equity, so that the same be done within the Space of one-and-twenty Years from the Date of the said Mortgage, and not otherwise:¹

And that all Bills of Mortgage already made, or hereafter to be made, shall be entered into the Records within six months after the passing of the said Proposals into a Law, or within six Months next after such Bills of Mortgage were executed, otherwise such Bills to be of no effect in the Law.²

6. Sixthly, That all new Intacks or Inclosures taken out of the Commons, and all Milns erected since the Year one thousand six hundred forty and three, that had not paid any Fines, should have a reasonable Fine set upon them by the Governor, three of the Lord's Officers, and three of the twenty-four Keyes, to be appointed for that Purpose; and that the Fines so set by them should be paid within six Months next after the setting thereof; and that the third Part of the said Fine so to be set as afforesaid should for ever hereafter be paid upon the Change of every Tennant by Death, Alienation, or Mortgage as afforesaid.

7. Seventhly, That all Intacks or Milns which should then after be enclosed or erected should pay such Fine and Fines as should be agreed on by the Governor and Lord's Officers, and that to be likewise a fixed and certain Fine to be for ever hereafter paid by the Tennants of the same upon every Descent or Alienation in Manner as afforesaid.

8. Eightly, And that all such Intacks and Cottages as had been taken out of the Highways adjoining to the Quarterlands, or other Estates, but not belonging to the

¹ Repealed by Mortgages Act of 1835.

² Repealed by Registration Act, 1847.

same, should not, nor were not, intended to be included in the said Proposals; but that such Intacks and Cottages (being complained of as great Nusances) should be referred to the consideration of a Tynwald Court to determine where the Rents and Fines of and for such Intacks and Cottages might most conveniently be fixed.¹

9. Ninthly, That whereas the Fine lately paid out of the Estate called Loughmollo and dry Closes was not comprized in the Generall Fining in the said Year one thousand six hundred fourty and three, the same being since that Time leased by the Right Honourable Charles late Earl of Derby; it was therefore (upon special consideration had) proposed, that the said Estate should only pay one hundred and twenty Pounds for the present Fine; but if any of the Lives nominated in the last Lease made thereof by the said late Earl Charles should be found to be still in being, then only two third Parts of the said one hundred and twenty Pounds should be paid as a present Fine, and a third Part of the said one hundred and twenty Pounds should for ever hereafter be paid as a fixed and certain Fine upon the Change of any Tennant by Death, Alienation, or Mortgage as afforesaid.

10. Tenthly, That the present Fines should be accepted and received according to the Currency of Money then within the said Isle, and that one third Part thereof should be paid within six Months next after the passing of this Act, another third Part should be paid at the end of twelve Months now next ensuing, and the last Payment to be made within six Months then next following; so that the whole should be paid within eighteen Months next after the passing of this Act.

11. Eleventhly, That the antient Rents (except only of such Lands as were then in the Lord's Hands) should for the future be preserved by the Setting Quest and that the Tennants Names should be entered in the Court Rolls as formerly; and that when any Tennant should come to any Estate by Death, Alienation, or Mortgage, such Tennant should be obliged to give Notice thereof to the Setting Quest of the Parish where such Estate lay some Time before the next Sheading Court that should be holden after he became Tennant to the said Estate, to the Intent that

¹ See Supplemental Act of Settlement of 1704.

Tenant refusing or neglecting to enter his Name, fined £3.

the said Enquest might present the said Tennant's Name to the Court, (which they should upon Oath be obliged to do at every Sheading Court as oft as any such should happen,) to the End that such Tennant's Name might be entered upon Record either by himself, or some other Person in his Behalf, whereby the Lord's Fines might be had and received at such Time and in such Manner as are hereinbefore for that Purpose limitted and appointed, without Fraud or Concealment; and if the said Tennant should refuse or faile to have his Name entered accordingly at the said Court, that then such Tennant so refusing or neglecting should be fined in three Pounds to the Lord for the Time being; and that upon the Change of any Tennant by Death, Alienation, or Mortgage, one single Person, and no more, should be admitted, unless he became Tennant in the Right of his Wife, and not otherwise.

Proposals to be passed into a Law.

Lord's Royalties and Rights reserved.

Commissioners appointed by Earl Derby.

Proposals agreed to.

12. And lastly, That all the before-mentioned Proposals, and every Matter and Thing therein contained, should forthwith be passed into a Law, and confirmed by the Authority of a Tynwald Court, (saving always to the Lord all such Royaltys and Regalities in and concerning the Premises as were invested by his Lordship by virtue of his Prerogatives within the said Isle;) and the said James Earl of Derby, out of his great Zeal and Care for the Welfare and Quiet of his People, and to the End that such an Establishment might be treated and agreed upon as might compleat and for ever confirm a constant mutual Love and Friendship between the Lords of the said Isle and their People, did nominate and appoint the afore-named Robert Mawdesley, Thomas Lord Bishop of Sodor and Mann, and Nicholas Starkie, Esquire, Commissioners, to treat and consult with the said Ewan Christian, John Stevenson, and Ewan Christian of Lewaige, concerning the said Proposals, which were consented and agreed unto by all Partys commissioned for that Purpose, as in and by the said Proposals, inrolled and remaining on Record in the Comptroller's Office within the said Isle, more at large it doth and may appear: And the said Right Honourable James Earl of Derby, and all and singular the Tennants and Inhabitants within the said Isle, and Members of the same, are contented and well pleased that the said Proposals, and all Things therein contained, should be ratifyed and confirmed by an Act of Tynwald Court:

Enactment.

13. May it therefore please your Lordship that it may be enacted, and be it enacted by the said James Earl of

Derby, now Lord of the said Isle, (by and with the Advice and Consent of the said Governor, and the rest of his said Lordship's Officers, and by the twenty-four Keyes, in this present Tynwald Court assembled, and by the Authority of the same,) That the said Proposals, and every Clause, Article, Sentence, Matter, and Thing in the same contained, shall stand and be ratified, allowed, approved off, and confirmed by the Authority of this present Tynwald Court; and that the said Proposals shall stand and be of force to bind and conclude as well as the said James Earl of Derby, his Heirs and Assignes, and all Persons claiming or to claime, from, by, or under him or them, or to his Use, or in Trust for him, as the said Ewan Christian, John Stevenson, and Ewan Christian of Lewaige, and all and singular other the Tennants and Inhabitants within the said Isle, their and every of their Heirs and Assigns, and all Persons claiming, or to claime, from, by, or under them, or any of them, or to or for their Use, or in Trust for them, or any of them, in all Things, according to the Purport, Effect, and true Meaning of the said Proposals; and that every Clause, Article, Sentence, Matter, and Thing in the said Proposals contained, shall for ever hereafter stand, be, and remain, and be adjudged and taken to be of such and the same Force and Effect to all Intents and Purposes as if the said Proposals, and every Clause, Article, Sentence, Matter, and Thing therein contained, were especially and particularly herein again expressed and repeated, and by the Authority of this present Court enacted.

14. And be it further enacted, ordained, and declared by the Authority aforesaid, That all Estates made or to be made of any Messuages, Lands, Tenements, and Hereditaments within the said Isle, or Members of the same, to any Person or Persons, and his and their Heirs, shall be, and shall be adjudged, esteemed, and taken, from the making or granting of such Estates, to be good and perfect customary Estates of Inheritance, descendable from Ancestor to Heir according to the Laws and Customs of the said Isle, (except such as are reputed Chattels as is before mentioned;) and that all and every such Person and Persons to whom any such customary Lands, Tenements, or Hereditaments are or shall be granted to him and his Heirs according to the Laws and Customs of the said Isle, shall be, and shall be adjudged, esteemed, and taken, and are hereby declared to be seized thereof as of good and perfect customary Estates of Inheritance to them and their

Estates to be considered of Inheritance, descendable to Heir, except Chattels.

Heirs, descendable from Ancestor to Heir according to the Customes of the said Isle.

Clause for
peaceable
enjoyment.

15. And that all and every the said Tennants of and within the said Isle, and Members of the same, as well all Tennants in Possession as in Reversion and Remainder, particularly or generally named, mentioned, or intended to be Partys to the said Proposals, and not thereby excluded, their and every of their respective Heirs and Assignes, shall and may from henceforth for ever quietly and peaceably have, hold, and enjoy all their several and respective Messuages, Lands, Tenements, and Hereditaments, with their and every of their Appurtenances, to them and their Heirs severally and respectively, as customary Tennants of and within the said Isle, against the said James Earl of Derby, his Heires and Assignes, and against all and every other Person or Persons claiming, or to claime, from, by, or under him, them, or any of them, all and singular the Tennants within the said Isle, and Members of the same, their Heirs and Assignes, and all and every other Person and Persons claiming, or to claime, from, by, or under them, or any of them, respectively and severally yielding, paying, performing, and doing unto the said James Earl of Derby, his Heires and Assignes, and all and every other the Lords of the said Isle for the Time being, such yearly Rents, Boons, Suites, and Services, as herein-before are mentioned, and which now are or heretofore have been usually paid and performed; and also paying unto the said James Earl of Derby, his Heirs and Assignes, such generall and other Fines certaine, as in the said Proposals are also for that Purpose particularly mentioned and expressed:

Performance
of Services,
and payment
of Rents, &c.

Royalties
reserved.

16. Saving always unto the said James Earl of Derby, his Heirs and Assigns, and unto all and every other Person and Persons that shall at any Time hereafter become Lords of the said Isle, all such Royaltys, Regalia, Prerogatives, Homages, Fealtys, Escheats, Forfeitures, Seizures, Mines and Mineralls of what Kind or Nature soever, Quarrys and Delfs of Flagg, Slate or Stone,¹ Franchises, Libertys, Priviledges, and Jurisdictions whatsoever, as now are or at any Time heretofore have been invested in the said James Earl of Derby, or in any of his Ancestors Lords of the said Isle; and saving nevertheless to all and every Person and

¹ See Supplemental Act of Settlement of 1704.

Persons, Bodys Politick and Corporate, their Heirs and successors, (other than the said James Earl of Derby, his Heires and Assignes,) all such Actions, Estate, Right, Title, Interest, Use, Trust, Claime, and Demand whatsoever, in Law or Equity, as they or any of them have, may, should, or ought to have, of, in, to, or out of the said Isle, or any Part thereof, (and in such Sort and Manner as if this Act had never been made) :

17. Provided that such Person or Persons, their Heirs, Executors, and Administrators, do yield, pay, perform, and do unto the said James Earl of Derby, his Heyrs and Assigns, and to all and every other the Lords of the said Isle for the time being, the severall yearly Rents, Boons, Suits, and Services, that have been accustomed and usually paid for the Estates which they, or any of them, shall or may make any Claime or Title, and do also pay unto the said Lord and Lords of the said Isle for the Time being all such Fines certain for the same, and in such Manner and Form as in the said Proposals are particularly mentioned and agreed unto, and not otherwise :

Accustomed
Rents, Boons
Suits and
Services to
be paid to
Lord.

18. And it is further provided, that nothing of the said Saving shall impeach, or be prejudiciall to, or be construed or taken to impeach or be prejudicial to the Settlement of the Nature and Quality of the Estates, Tenures, Fines, Rents, Suits, and Services, which hereby and by the said Proposals are agreed upon and intended to be enacted, granted, and confirmed, any Thing in the said Saving to the contrary notwithstanding.

Reservations
not to preju-
dice Tenures,
&c.

19. Note, The words (Law or) interlined in the 31st Line in the first Sheet, and the Word (named) in the third Line in this Sheet, and the Words (or be construed or taken to impeach or be prejudicial to) in the nineteenth Line, were inserted before the Signed hereof.¹

20. Note further, That it is agreed and consented unto by the Governor, Officers, and twenty-four Keyes aforesaid, at the Signing hereof, that this Act shall be no way construed and taken to free and discharge the Tennants and Inhabitants of this Isle from giving their best Assistance or Supply for the Defence of the Isle in Time of Warr, or imminent Danger, in such Manner as shall be agreed upon

This Act not
to dispense
with Tenant's
Services in
Time of
War.

¹ This Note refers to the original Manuscript.

by the Governor, Officers, and twenty-four Keyes of the Island for the Time being, as Occasion and Necessity will require.

John Parr, }	Deemsters.	Robert Mawdesley.
D. Mylrea, }		Tho. Sodor and Man.
		Chris. Parker.
		J. Rowe,
		Will. Ross,
		John Bridson.

Tho. Stephenson,	Robert Christian,
Ewan Christian,	Robert Curghey,
John Wattleworth,	James Bancks,
Sill. Ratcliff,	Tho. Corlett,
Cha. Moor,	James Oates,
Nicho. Christian,	Nicho. Thompson,
Will. Christian,	Robert Moore,
Tho. Christian,	Dan. Lace,
John Bridson,	John Harrison,
John Oates,	John Wattleworth,
James Christian,	John Curghey.

Acceptance
by Earl
Derby.

I do hereby declare my full and free consent to this Act of Settlement, (saving and except so much thereof as relates to the Tythes arising out of the Abbey De-measnes therein mentioned, to be sold by Charles late Earl of Derby to Bishop Barrow, and the several Rectorys of Kirk Christ Lezayre, Kirk Marown, Kirk Lonnán, Kirk Conchan, Kirk Malew, Kirk Maughold, Kirk Arborey, Kirk Christ Rushen, Kirk Michael, and Kirk Santan, with their and every of their Appurtenances, and all Tenths and Tythes renewing, growing, within or belonging to the said Rectorys, and all Oblations, Obventions, Pentions, Rights, and Dutys thereunto belonging or appertaining, which were by Indenture bearing Date the first Day of November one thousand six hundred sixty-six, made between the said Charles Earl of Derby of the one Part, and Isaac Lord Bishop of Sodor and Mann, and Jonathan Fletcher, Archdeacon of the said Isle, of the other Part, granted, bargained, and sold to the said Bishop and Archdeacon, their Executors and Assignes, for ten thousand Yeares, at the severall yearly Rents, and upon the Trusts therein mentioned, and such Estate, Right, Title, Interest, Claime, and Demand, as I have, or may or can claime or demand

of, into, or out of the same, as if this Act had never been made or passed: And I do hereby confirm this Act (save and except as afforesaid) according to my undoubted Prerogative within the said Isle, and require that the said Act be published at the next Tynwald Court in usual Manner.

DERBY.

At a Tynwald Court holden at St. John's Chappell the 6th day of June, Anno Domini 1704.

The foregoing Act of Settlement being confirmed by our Honourable Lord in Manner as afforesaid, was this Day publicly proclaimed upon the Tynwald Hill according to antient Forme and Custome; as witness our Hands the Day and Year above written,

Jo. Parr,	} Deemsters.	Robert Mawdesley,
Dan. Mylrea,		Tho. Sodor and Mann,
		Chris. Parker,
		J. Rowe,
		Will. Ross,
		Jon Bridson.

John Stevenson,	Dan. Lace,
Ewan Christian,	Tho. Corlet,
William Christian,	James Christian,
Cha. Moor,	John Wattleworth,
Tho. Stevenson,	John Bridson,
John Wattleworth,	Tho. Christian,
James Oates,	Robert Christian,
John Curghey,	John Oates,
John Harrison,	Robert Curghey.
James Bancks,	

~~~~~



## INSULA MONÆ.

*Acts likewise passed by the Right Honourable James Earl of Derby, Lord of the said Isle, and by his Governor, Officers, and twenty-four Keyes, the Representatives thereof, at the before-mentioned Court of Tynwald holden the 4th Day of February Anno Domini 1703.*

## Preamble.

Whereas by a Clause in the before-mentioned Act of Settlement, the respective Tennants and Inhabittants of the said Isle are obliged to pay (besides their Rents and Fines therein expressed and mentioned) all other Dues, Duties, and Carriages, as have been formerly accustomed; and that the fixing and ascertaining of the said Carriages is by the said Act left to the Consideration of a Tynwald Court; be it therefore ordered, ordained, enacted, and declared by the Authority of the said Court of Tynwald,

## Duties and Carriages payable to Lord.

1. That the Tennants and Inhabittants of this Isle shall pay and do their Carriages to the Lord as formerly accustomed; that is to say, four Carriages from every Quarter of Land, and one Carriage from every Cottage and Intackholder within the said Isle; and the same to be performed either by the Labour of Horses, or Service of Men, as the Governor shall thing fitt to order, and hath been formerly accustomed; and that these Carriages shall be taken for the Lord's Use as his Lordship or the Governor for the Time being shall think fit to employ them; and that no Tennant shall be exempt from doing of these Carriages but such as have been already legally accustomed to be freed thereof.

## All lettings for longer than 5 years by way of security to be deemed mortgages and to subject Tenant to alienation fine.

2. And whereas by another Clause in the afforesaid Act of Settlement, all Persons who then had mortgaged, or should thereafter mortgage, all or any Part of Messuages, Lands, Tenements, Milns, Cottages, Intacks, or other Heridittaments, unto any person, and should not actually redeem the same to his own proper Use within the Space of five Years next after the Commencement of the said Mortgage, should be looked upon as an alienation, and the Mortgagee admitted as Tennant to the same in such Manner and on such Terms as in and by the said Clause is fully mentioned and expressed: And forasmuch as it is conceived that severall fraudulent Bargains may be made for letting of Lands, Tenements, Milns, Cottages, Intacks,

and other Hereditaments, for the Security of Money, under other Notions than that of Mortgage, to defraud our Honourable Lord of a Fine; be it therefore ordered, ordained, and enacted by the Authority aforesaid, That all such Bargaines as shall hereafter be made and given for the Security of any Sum of Money upon Lands, Tenements, Milns, Cottages, Intacks, and other Heridittaments as afforesaid, longer than for the Term of five Years, shall be declared and taken to be a Mortgage within the Intendment of the said Act, unless the Court of Chancery within this Isle shall adjudge it otherwise, and that the Mortgagee shall be lyable to pay such Fine for the same as in and by the said Clause inserted in the said Act is mentioned and declared.

Unless  
Chancery  
adjudge  
otherwise.

3. And also whereas by another Clause in the said Act of Settlement, it is mentioned and expressed that all Intacks and Cottages, as had been taken out of the Highways adjoining to the Quarterlands or other estates, but not belonging to the same, should not nor were not intended to be included in the said Act of Settlement, but that such Intacks and Cottages (being complained of as great Nuisances) should be referred to the Consideration of a Tynwald Court to determine where the Rents and Fines of and for such Intacks and Cottages might most conveniently be fixed; be it therefore hereby ordered, ordained, and enacted by the Authority afforesaid, That the Rents and Fines of all such Cottages and Intacks taken out of the Highway adjoining to any Quarterlands or other Estates, whether they belong to the Lord or Barrons, being taken to Rent in or since the Year of our Lord one thousand six hundred and ten, are to be paid by those Farmers and Tennants, or other Persons unto whose Lands and Tenements those Cottages and Intacks do adjoin, and they to be become Tennants thenceforward to the Lord for the said Cottages and Intacks; and that the said Tennants and Inhabittants dwelling in and possessing those Cottages and Intacks shall henceforward become Subtennants to the said Farmers, Tennants, and others Persons, upon such reasonable Terms as can be agreed upon betwixt them, or as shall be thought reasonable by the Court of Chancery of this Island :

Rent of Intacks taken out of Highways, to be paid by Quarterlands adjoining.

4. And if any such Cottage or Intackholder do not submit to such Terms as the Court shall order therein, then such Cottage or Intackholder is to be ejected out of

Intackholder &c. resisting this regula-

tion, to be  
evicted sub-  
ject to com-  
pensation for  
improve-  
ments.

the said Holding, and a Jury of four Men sworn to value what Improvements he has made on the same; which said Value being approved of by the Court, the said Farmer, Tennant, or other Person, is to pay and reimburse unto the said Cottage or Intackholder, and thereupon to be immediately possessed of the same, and have liberty to dispose of the said Cottage and Intack to whom and to what uses he shall think fitting;

Complaints  
as to such  
Intacks &c.  
to be made  
within 18  
months.

5. Provided always that such Farmer, Tennant, or other Persons, unto whose Lands such Cottages or Intacks adjoin, complaining of such to be a Nuisance, shall be obliged to make the same appear to be so within eighteen Months next after the date hereof; otherwise and in Default thereof the said Cottage or Intackholder shall have and enjoy the same, on the like Terms that other Cottages and Intacks are held and enjoyed within this Isle by virtue of the said Act of Settlement, without any disturbance of the said Farmer, Tennant, or other Person, at any Time after the said eighteen Months are determined and expired:

Highways  
out of which  
Intack is  
taken to be  
18 feet  
broad.

6. And it is likewise provided and declared, That all Highways, out of which any Intacks or Cottages have been taken, that shall be found not to be eighteen Foot broad, according as the Statute provides, shall be enlarged out of the said Intacks or cottages (when complained of) at any Time hereafter, any Thing herein mentioned to the contrary notwithstanding.

Use of  
Quarrys of  
common  
Stone re-  
served for  
Tennants for  
improvement  
of Estates.

7. And whereas in the saving Part of the said Act of Settlement it is mentioned and declared, That all Quarrys and delfs of Flagg, Slate, and Stone, are reserved to his Lordship and his Heirs as a Royalty and Prerogative belonging to them within this Isle; which Part of the said Act seems to restrain the Farmers and Tennants of the said Isle from digging and getting such Sort of common Stone as might be necessary for building and making of other Improvements on their Estates and Tenements; be it therefore enacted, ordained, and declared by the Authority aforesaid, That notwithstanding the generall Words in the said Act of Settlement, that every Tennant and Farmer shall nevertheless have free Liberty of digging, raising, and disposing of all Sort of Stone and Slates upon their respective Tenements, and as has been formerly accustomed, so that they be employed only for their own Use, and for the Improvement of their own and Neighbours Estates and Tenements, and that they shall not dispose or make

But sale of  
Stone &c.  
is not  
intended.

Merchandize of the same otherwise without the Lycence or Liberty of the Lord or Governor of the said Isle first had and obtained for the same :

8. And if any Farmer or Inhabitant having a Quarry or Quarrys of Limestone, or other common Stone, on his or their Grounds, shall obstinately refuse or deny Liberty to any other Person or Persons to digg or get such Limestones or other Stones for the Improvement of his or their Lands or Tenements, or otherwise, without paying him a high and unreasonable Consideration for the same ; then and in such Cases it shall and may be lawfull for the Governor of this Isle for the Time being, to interpose and order that such Person or Persons as stand in need of such Limestones or other Stones may digg, raise, and carry away as much as will be necessary for his or their Use, paying unto the Farmer or Inhabitant on whose Lands the same shall be so gotten, such moderate and reasonable Satisfaction as the Governor shall think fit to order and allow.

Liberty to quarry on any Lands, making moderate satisfaction.

Governor may enforce right and fix compensation.

John Parr, }  
D. Mylrea, } Deemsters.

Robert Mawdesley,  
Tho. Sodor and Mann,  
Chris. Parker,  
J. Rowe,  
Will. Ross,  
John Bridson.

Tho. Stevenson,  
Ewan Christian,  
John Wattleworth,  
Sill. Radcliffe,  
John Oates,  
Ro. Christian,  
Ro. Curghey,  
Tho. Corlett,  
James Oates,

Cha. Moor,  
Nich. Christian,  
Tho. Christian,  
John Bridson,  
Ro. Moor,  
Dan. Lace,  
John Harrison,  
John Wattleworth,  
John Curghey.

These four Acts relating to the Settlement are likewise allowed of and confirmed by me, and ordered to be in like manner published at the next Tynwald Court.

DERBY.

*At a Tynwald Court holden at St. John's Chappell the 6th  
Day of June, Anno Domini 1704.*

The beforegoing four Acts relating to the Settlement;  
viz. an Act touching Carriages &c.; an Act concerning  
Alienations and Mortgages; an Act touching Intacks and  
Cottages; and an Act concerning Quarrys and Delfs, &c.  
were this Day publicly proclaimed upon the Tynwald Hill  
according to antient Forme and Custome; as witness our  
Hands the Day and Year above written.

John Parr, }  
D. Mylrea, } Deemsters.

Robert Mawdesley,  
Tho. Sodor and Mann,  
Chris. Parker,  
J. Rowe,  
Will. Ross,  
John Bridson.

J. Stenvenson,  
Ew. Christian,  
Tho. Stevenson,  
Will. Christian,  
Cha. Moor,  
John Wattleworth,  
James Christian,  
John Bridson,  
Ro. Christian,  
Jo. Wattleworth,

James Oates,  
John Harrison,  
Tho. Christian,  
John Curghey,  
John Oates,  
Ro. Curghey,  
Dan. Lace,  
James Bancks,  
Tho. Curlett.



## An Act against Trespassing,

*Passed at a Tynwald Court holden at St. John's Chappell,  
the 25th June 1705.*

Whereas it is declared and provided by a Statute made in the Year 1667, That whosoever shall suffer his Goods to stray from his own Grounds, without one Herd to keep them from damnifying their Neighbours, and so become Trespassers on any Man's Ground, at any Time of the Year whatsoever, (except only such a Neighbour who fails in keeping his Part of the Fence, which by Law he is bound to maintaine with him,) shall for every Beast thus trespassing, and brought to the Pinfold, pay (besides the Lord's Due) to the Party damnified Fourpence for trespassing in the Summer, and Twopence for Trespass in Winter, as by the said Statute doth fully appear: Now for the better Explication of the said Statute, and for the farther preventing of Trespasses, be it therefore ordered, ordained, and enacted by the Authority of the Right Honourable the Lord of this Isle, the Governor, Officers, Deemsters, and 24 Keyes :

Trespass  
Beasts to pay  
4d. in Sum-  
mer and 2d.  
in Winter.

1. That every Tennant, Farmer, or others, holding any Lands or Grounds within this Isle, shall for the future be obliged, either by Herding, Fenceing, or by some other Means, to keep their Cattle, Horses, Sheep, Goats, Swine, Geese, and all other their Goods whatsoever, upon their own Lands and Grounds, without suffering them to be Trespassers on their Neighbours, as is too frequently accustomed, both to the Discouragement of good Husbandry, and the creating of much Disquietness and Difference betwixt Neighbours :

Tenants, &c.  
to prevent  
trespassing.

2. And if any Farmer, Tennant, or other Person, shall hereafter suffer his Cattle, Horses, Sheep, Goates, Swine, Geese, or any other Goods whatsoever, to go from his own Grounds, and be found trespassing on his Neighbour's Lands, at any Time of the Year, without Liberty or Consent of his Neighbour, such Neighbour, or other Person, finding such Cattle, Horses, Sheep, Goates, Swine, Geese, or any other Goods whatsoever so trespassing on him, (whether the Fences be statutable or not,) may lead, carry, or drive such Goods to the Pinfold ;<sup>1</sup>

Cattle, &c.  
trespassing  
may be im-  
pounded.

3. And before they be released or delivered out from thence by the Keeper of the Pinfold, the Owner of the said Goods shall (besides the Lord's and Pinfold Fees) pay &c. and satisfy unto the Person impounding the said Goods Fourpence for every Beast so

Pinfold Fees,  
&c.

<sup>1</sup> Repealed by Act of 1776.

trespassing from Lady-day in Lent to Michaelmas-day, and Twopence for every Beast trespassing betwixt Michaelmas-day and Lady-day aforesaid; and for every Goose trespassing betwixt Lady and Michaelmas to pay, besides the Lord's and Pinfold Fees, a Penny, and from Michaelmas to Lady-day a Halfpenny, and that to be accounted full Satisfaction for the said Trespasses,<sup>1</sup>

Remedy in  
certain cases  
by Trespass  
Jury.

Unless it be such Trespasses as are sometimes done and committed in standing Corne, or reaped Corne, Meadowing or Hay mown in the Field or elsewhere; which Trespasses are always to be viewed and estimated by four sworn Men, and Satisfaction to be made according to the usual Course of Law.

Punishment  
for rescue.

4. And it is further ordered, enacted, and declared by the authority aforesaid, That if any Person or Persons whatsoever shall at any Time hereafter rescue, or any Ways hinder any Goods to be impounded, and Oath thereof made before the Governor or either of the Deemsters, the Governor or Deemster before whom such Oath shall be made is hereby empowered to give Execution to levy all such Money for Trespass and Pinfold Fees, as if the said Goods were actually impounded, and the Person offending to be fined to the Lord besides.<sup>2</sup>

Governor to  
grant Licence  
for Pinfolds  
in Parishes.

5. And whereas Complaint hath been made that there are too few Pinfolds in every Parish, be it therefore ordered, enacted, and declared by the Authority aforesaid, That it shall and may be lawfull for the Governor, at his Discretion, upon Application made to him by the Farmers or Tennants of any of the Treens within the severall Parishes of this Isle, to give Lycence to any or as many of the said Farmers or Tennants as he shall think fit, to erect at their own proper Costs and Charges one Pinfold in the most convenient Place in the said Treene; provided, that yearly and every Year, at the next Sheading Court to be held for that Parish after Michaelmas, a sufficient Pinder or Pinfold-keeper be sworne to do and perform all Things to that Office belonging according to the Laws and Customs of this Isle; and that every Lycence so granted for erecting of any Pinfold shall first be enrolled in the Comptroller's Office.

Pinner to be  
sworn, &c.  
Licence re-  
corded.

Breaking  
Pinfold.

6. And it is further ordered, ordained, and enacted by the Authority aforesaid, That if any Pinfold shall hereafter be broken, or the Goods therein impounded by any Way or Means taken out of the same, that then and in that Case such Person or Persons, whose Goods are known to be impounded therein, shall be taken and reputed to be the Person who committed the said Offence, and be lyable to make full Satisfaction both for Pinfold Fees and Trespass Money, by Authority from the Governor, or either of the Deemsters, any Thing heretofore to the contrary notwithstanding.<sup>3</sup>

Tenants not  
exempted

7. Provided always, that this Act, or any Thing therein contained, is not intended any Way to exempt or free the

<sup>1</sup> Repealed by Acts of 1763 (iv. Trespass) and 1776.

<sup>2</sup> Repealed as to hindering the impounding of goods by Highway Act of 1776, and as to rescue, by Summary Jurisdiction Act, 1864.

<sup>3</sup> Repealed by Summary Jurisdiction Act, 1864.

Farmers or Tennants of this Isle from joining in the making and repairing of the Fences and Ditches, as is already provided by an Act made in the Year 1691. from making  
Fences by  
Act.

Tho. Sodor and Mann.  
Dan. Mylrea.

Jo. Parr,  
Chris. Parker,  
J. Rowe,  
Will. Ross.

Nich. Christian,  
Jo. Wattleworth,  
Tho. Stevenson,  
Sill. Radcliff,  
Cha. Moor,  
Ewan Christian,  
Robert Curghey,  
Jo. Wattleworth,  
Tho. Christian,

Edm. Corlet,  
William Christian,  
John Curghey,  
James Christian,  
Dan. Lace,  
John Harrison,  
Robert Moor,  
Robert Christian,  
John Fargher.

I do approve of and confirm this Act, and will that the same be published on the Tynwald Hill in Form of Law.

DERBY.

*Note, That all Horses, Cattle, &c., going and remaining in the Highways in Winter and Summer may in like Manner be impounded, &c. as by a Clause in an Act for repairing Highways, Anno 1713.<sup>1</sup>*

*At a Tynwald Court holden at St. John's Chappell the  
2d Day of February, Anno 1705.*

The within-mentioned Act was publickly proclaimed upon the Tynwald Hill according to usual Forme; as witness our Subscriptions,

Jo. Parr,  
Dan. Mylrea.

Robert Mawdesley,  
Tho. Sodor and Mann,  
Chris. Parker,  
J. Rowe,  
Will. Ross,  
William Sedden.

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<sup>1</sup> This Note appears in the margin of the original.



J. Stevenson,  
 Tho. Stevenson,  
 Ewan Christian,  
 Nich Christian,  
 Jo. Curghey,  
 Jon. Bridson,  
 Robert Christian,  
 Jon. Harrison,  
 John Fargher,

Sill. Radcliff,  
 Jo. Wattleworth,  
 Will. Christian,  
 Tho. Christian,  
 Robert Moor,  
 James Christian,  
 Robert Curghey,  
 Edm. Corlet,  
 Dan. Lace.

~~~~~  
At Castle Rushen the 31st December, Anno Domini 1706.¹

Expences of
 obtaining
 Act of Settle-
 ment to be
 reimbursed.

Whereas upon the humble Address of the 24 Keyes to our Honourable Lord, praying that the Money laid out and expended by Mr. Ewan Christian of Lewaige and others in making Application for a Settlement of the Tenures and Holdings of the Inhabitants of this Island under his Lordship, might be reimbursed by a generall Assess upon the said Inhabitants and Tennants, his Lordship hath been graciously pleased to order, That after the Fines due and payable to him by the said Act of Settlement were collected and paid in, that then Orders should be issued out for the assessing, levying, and collecting such Sum or Sums of Money upon the Tennants and Inhabitants of the said Isle as should upon a fair Account appear to have been laid out and expended by the Commissioners appointed by the Country for treating with his Lordship and his Commissioners about the said Settlement, and the Charges incident upon the same : In pursuance of which Order the said Mr. Ewan Christian hath this Day produced his Bill of Disbursements ; and having maturely examined and considered the same, we find that the Money advanced and disbursed, and to be advanced and paid in attending our late Right Honourable Lord (by his Lordship's own Appointment) about the Matter aforesaid, and also in waiting and attending on our Right Honourable Lord at Lathome, in obtaining, accomplishing, and finishing the said Act of Settlement, and the Charges incident thereupon, doth amount to the Sum of one hundred and sixty Pounds Sterling ; and therefore it is hereby ordered and declared,

£160 to be
 levied by
 assessment
 on Lands.

1. That the said Sum of one hundred and sixty Pound shall be assessed, raised, levied, and collected of and upon the severall Tennants and Inhabitants of this Island out of their severall and respective Holdings, as well Abbey Lands as Lord's Lands, Milnes, Cottages, and Intacks, by an equall and proportionable Assess, according to their severall and respective Estates and Holdings ; which said Assess is to be made by four sufficient and able Men, upon Oath, in every Parish, such as the Governor shall approve of and appoint, and the same to be levied by them according to the usual Way and Course of Assessments within this Island.

£20 to be
 levied for
 erecting
 House of
 Keys.

£10 to finish
 St. John's
 Chapel.

2. And also, whereas frequent Complaints have been made by the 24 Keyes of this Isle, of the Obstruction and Delays that hath often happened in the Dispatch of the public Business, for want of a convenient House or certain Place to assemble in, when they are ordered to meet at Castletown for the hearing or considering of such Matters as lye properly before them, having no place at present but our Honourable Lord's Castle or Houses, which is equally inconvenient as well to his Lordship as the said Body of the 24 Keyes ; and therefore it is ordered and declared, That the further Sum of twenty Pounds Sterling shall be raised and employed towards the erecting or procuring a convenient Place in the said Town for the 24 Keyes to meet in upon publick Business as aforesaid, and also the further Sum of ten Pounds for the repairing and finishing the South and North Isles of St. John's Chappell ; which said two last Sums, amounting to thirty Pounds, being for a general and publick Good, shall be assessed, raised, levied, and collected of and upon all and every the Tennants and Inhabitants of this Isle, as well Barron's Tennants and Lord's Tennants, by an equal and proportionable Assess upon their severall and respective Holdings and Estates, in Manner as is before mentioned.

¹ Spent.

3. And whereas by the Poverty and mean Circumstances of the People our Honourable Lord's Fines are not yet paid in, and that by his Lordship's said Order the said Expences and Sums of Money are not to be assessed, levied, and collected before the said Fines are paid; it is therefore hereby further ordered and declared, That none of the Sum or Sums of Money before mentioned shall be assessed, raised, levied, or collected of the People at any Time before the twenty-fourth day of November that shall be in the Year of our Lord God one thousand seven hundred and nine, unless all the said Fines be paid in before that Time; and then and immediately after the said Day, or after the said Fines are paid in as aforesaid, the said Assessments to be made upon the People in Manner as is before mentioned, and levied, collected, and paid in by the said Assessors and Collectors unto such two of the Lord's Officers, and two of the twenty-four Keyes, as the Governor for the Time being shall appoint, to be employed and paid by them for the Uses and Purposes herein-before mentioned and expressed; and in case any Person or Persons whatsoever shall refuse to pay the Sum or Sums of Money that shall be assessed upon him or them as aforesaid, such Person or Persons so refusing shall be proceeded against according to due Course of Law.

Levy not to
be made
before 24th
November,
1709.

Jon. Parr,
Dan. Mylrea.

Robert Mawdesley,
Tho. Sodor and Mann,
Chris. Parker,
J. Rowe,
Will. Ross,
William Sedden.

Lathom, August 20th, 1707.

I do approve hereof, and will that the same be put in Execution according to the Tenor thereof. This is written on the other Side, and signed by our Honourable Lord.¹

Edm. Corlet,
James Bancks,
Jo. Wattleworth,
Sill. Radcliff,
John Curghey,
John Harrison,
John Fargher,
Tho. Stevenson,
Ewan Christian,

Nich. Christian,
Ro. Christian,
William Christian,
John Bridson,
John Oates,
Tho. Christian,
J. Stevenson,
Tho. Corlet,
James Christian.

Lathom, August 20th, 1707.

I do approve hereof, and will that the same be put into Execution according to the Tenor thereof.

DARRY.

~~~~~  
*At a Tynwald Court holden at St. John's Chappell the 2d Day of February 1709  
before John Rowe, Deputy Governor of this Isle, the Officers, Deemsters, and 24  
Keyes, then and there present.*

The before Act was publicly proclaimed upon the Tynwald Hill according to antient Forms and Custome; as witness our Hands the Day and Year above written.

Jo. Parr,  
Dan. Mylrea.

J. Rowe,  
Tho. Sodor and Man,  
Chris. Parker,  
William Sedden.

---

<sup>1</sup> This approval appears in the margin of the original.

Sill. Radcliff,  
Thomas Corlett,  
John Harrison,  
William Tyldesley,  
Dan. Lace,  
Robert Moor,  
John Farghar,  
J. Stevenson,  
Tho. Stevenson,  
Ewan Christian,

Nieh. Christian,  
Cha. Moor,  
William Christian,  
John Oates,  
Robert Curghey,  
James Christian,  
Edm. Curlet,  
Tho. Christian,  
John Curghey.



## INSULA MONÆ.

*At a Tynwald Court holden at St. John's Chappell the 24th Day of June 1710, before the Honourable Robert Mawdesley Esquire, Governor, the Officers, Deemsters, and 24 Keyes of the said Isle, whose Names are subscribed.<sup>1</sup>*

Whereas upon the Scarcity of Brass Money and want of Change within this Island, it was the generall Request and desire that our Honourable Lord would be pleased to supply this Defect by coining Brass or Copper Money for the Use of this Island to be current here; and forasmuch as his Lordship hath been graciously pleased to comply with the said Request, and hath sent over a considerable Quantity of Copper Pence and Halfpence, it is therefore published, proclaimed, and declared upon the Tynwald Hill,

New Copper  
Money to be  
a legal tender  
in all pay-  
ments.

1. That the said Copper Pence and Halfpence shall at all Times after this Day be currant and passable within this Island (in all Receipts and Payments) for Pence and Halfpence as afforesaid, and that the same will be received at that Value into, and paid out of his Lordship's Treasury at the same Value, in Receipts for Rents and other Revenues, and in Payment out of Sallarys and other necessary Disbursements; and that from henceforth no Person shall be obliged to take any other Brass or Copper Money save only the Halfpence and Farthings now passable and currant in that Part of Great Britain formerly called England:

Counterfeit-  
ing New  
Copper, High  
Treason,  
punishable  
by forfeit of  
Life, Lands,  
Goods, &c.

2. And it is this Day also published, proclaimed, and declared, That if any Person or Persons whatsoever shall be found and lawfully convicted of counterfeiting any of the said Pence and Halfpence, bringing into this Isle, uttering or paying any of the said Pence and Halfpence, knowing them to be counterfeit, such Person or Persons shall forfeit and be punished for the same after such Manner as is declared by an Act made in the Year 1646, concerning the coining and passing false and counterfeit Money, viz. such Person or Persons so offending shall be adjudged, deemed, and taken to be in the Case of High Treason, and for the same shall forfeit Life, Land, Tenements, Goods, Chattels, &c. to the Lord of this Isle and his Heirs, as in Cases of other Treasons they used to do by the Laws of this Land:

Copper  
Money to be  
counted an-  
nually by  
Captain of  
Parish.

3. And the better to find out whether there be any Counterfeits either made or carried into this Island, it is hereby ordered and declared, That on the second Thursday in June in every Year, all and every Person or Persons who have any of the said Copper Pence or Halfpence in their Custody shall bring in the same unto the Captain of their respective Parishes, to be counted and reckoned by him, and an Account to be returned by the said Captaine unto the Governor, Deputy Governor, or Receiver for the Time being, what Quantity of the said Money is within his Parish: And if any Person or Persons shall faile or neglect to bring in what Pence and Halfpence he hath in his Custody, to be so counted and reckoned as afforesaid, such Person or Persons so neglecting shall be fined in twenty Shillings, besides other Punishment, such as his Obstinacy or Neglect shall demeritt.

Jon. Parr.

John Stevenson,  
Tho. Stevenson,  
Ewan Christian,  
Jo. Wattleworth,

Robert Mawdesley,  
Chris. Parker,  
J. Rowe,  
William Sedden.

Robert Christian,  
James Christian,  
Edm. Corlet,  
Tho. Curlett,

<sup>1</sup> Repealed by Act of 1733, Chap. 2.

Will. Christian,  
Robert Moor,  
Nich. Christian,  
Jo. Wattleworth,  
Sill. Radcliff,  
Dan. Lace,

John Curghey,  
Robert Curghey,  
William Tyldesley,  
John Fargher,  
Tho. Christian,  
James Bancks.

*Lathom, 30th August, 1710.*

I allowe of and give my Consent to the within-mentioned Act, and order that the same be published at the Tynwald Hill according to the usual Forme and Custome of my Isle of Mann.

DARBY.

*At a Tynwald Court holden at St. John's Chappell the 20th Day of October, 1710.*

The beforegoing Act was this Day proclaimed and published upon the Tynwald Hill in due Forme of Law.

John Parr,  
D. Mylrea.

Robert Mawdesley  
J. Rowe,  
William Sedden.

J. Stevenson,  
Ew. Christian,  
Cha. Moor,  
Tho. Stevenson,  
John Oates,  
William Tyldesley,  
Ro. Curghey,  
Tho. Curlett,  
John Harrison,  
James Bancks,

Ro. Christian,  
Tho. Christian,  
John Wattleworth,  
Ro. Moor,  
Sill. Ratcliffe,  
William Christian,  
John Wattleworth,  
James Christian,  
John Curghey,  
Dan. Lace.

*ISLE OF MAN, June 13th, 1710.*

The Bishop of this Isle laying it seriously to Heart of what evill Consequence it has been that the Inhabitants of the Parish of St. Patrick's have for some Ages past been destitute of a Place of publick Worship within the said Parish, is resolved, God willing, to promote the Building of a new Parish Church in the said Parish, provided he finds the Parishioners ready to put to their helping Hand after such a Way as shall not be too great a Burthen to them, and as shall hereafter be set down. **Arrange-  
ment to build  
Church in  
Patrick.**

And whereas Captain Silvester Radcliff, and his Son Charles Radcliff, with their respective Wives, have of their own Accord and free Bounty offered a Part of their Estate of Knock-Ally-Moor whereon to build the said Parish Church, and sufficient for a Church-Yard, Vicar's House and Garden; and severall of the Chief of the Parish afforesaid have declared their Readiness to contribute to so pious a Work: The Bishop therefore proposeth and requireth in the first Place, **Grant of  
Land by  
Capt. Rad-  
cliff.**

That the said Parcel of Land be forthwith marked out, given, and dedicated, free of all Incumbrances, to the Uses afforesaid; and that the Parishioners do for themselves, and in the Name of all such as are not present, together with the Churchwardens, oblige themselves to give (according to their Abilities and Holdings as they shall be called upon) their Day's Labour in getting and carrying of Stones and Slates to the Place where the Church is designed to be built, in serving of Masons, Slaters, Plaisterers, and Flaggers, in bringing the Timber from the Port, and what Lime shall be necessary for Slating, Rendering, Plaistering, and Rough-casting; which if they shall cheerfully undertake, the Bishop engageth, **Parishioners  
to give La-  
bour.**

First, Out of his own proper Bounty, and out of some other Moneys and Effects designed for pious Uses, of which he has the Disposal, to cause to be built within the Space of eighteen Months, the Lord prospering his Endeavour, a decent Church and **Bishop to  
build.**

Chancell in the Place afforesaid, and sufficient for the Necessities of the Parish ; and to pay all Masons, Carpenters, Glasiers, Slaters, and Plaisterers, and to find all Materials, Stones, Slates, Flags, Morter, and Lime excepted, the Parishioners finding themselves Seats such as the Ordinary shall approve of.

Patrick to be separated from German.

Secondly, the said Bishop engageth to procure, if it may be, an Act of Tynwald for the freeing of the said Parish for ever hereafter of all Charges and Assessments towards the Repairs and Service of the Church or Chapell of St. Peter's in Peel, and for ever to separate the said Parish of St. Patrick from the Parish of St. German, after the Death or Promotion of the present Incumbent Mr. Matthias Curghey, and to assign to the said Parish its own Viccar, and Third of Tythes.

£3 to be paid by Bishop annually to Curate doing duty.

Thirdly, That in the mean Time, untill the said Parish shall have a Vicar of its own residing in it, the Bishop will endeavour so to order that Divine Service shall there be read every Lord's Day, towards which he will contribute three Pounds a Year during his Life, and continuing in this Bishoprick, and to have a Sermon once a Month either by the Vicar or others, as the Bishop shall appoint.

Parishioners to help building Vicar's House.

And forasmuch as it will be of the greatest Concern to the said Parish to have a Vicar dwelling amongst them, the Bishop expects and demands, that when the said Parish comes to have a Vicar of its own, or that the present Vicar desireth to dwell amongst them, the Parishioners shall give their helping hand as afforesaid, and as the Ordinary shall require, towards building a Vicaridge House.

For the true and faithful Performance of all which, we the Bishop, Vicar, Churchwardens, and Parishioners of St. Patrick afforesaid, have set our Hands the Day and Year above written.

Tho. Sodor and Mann,  
Math. Curghey.

*Churchwardens.*

Sill. Radcliffe,  
Marg. Radcliff, mark -  
Chas. Radcliff, mark +  
Ellin. Ratcliffe.

Thomas Radcliff, +  
Tho. Quane, +  
Pat. Quayle, p.  
Finlo Quirk. +

The Land this Day given by the said Captain Silvester Radcliffe, and his son, Mr. Charles Radcliff, with the Consent of their Wives, is marked out as foll. from the Corner of Kill-Croo Glebe along the Highway 43 Yards, from thence Eastward 56 Yards, from thence Southward to the Hedge of Kill-Croo 86 Yards, and thence back and Westward to the Highway 59 Yards.

*The Names of the Chief Parishioners present, and signing to this Instrument :*

Jon. Wattleworth,  
Henry Radcliffe,  
John Quirk,  
John Quirk,  
P. Quilliam, +  
T. Waterson, +  
T. Kenagh, +  
T. Karran, +  
Phil. Quilliam,  
Phil. Cubbon, +  
Wm. Killey, W.  
J. Quirk, I.  
J. Quilliam, I.  
W. Halsall, W.  
Hen. Killey, H.  
W. Knickle, W.  
J. Kewn, +

W. Gell, +  
Phinlo Karran, +  
W. Cannell, +  
W. Knickle, +  
Tho. Kneale,  
W. Knickle, +  
W. Karran, +  
T. Quirk, +  
J. Cosnahan, +  
G. Moor, -  
J. Callister, +  
W. Callister, +  
Tho. Quine, +  
Jo. Fargher, +  
Jo. Fargher, +  
W. Cottier, +  
T. Quirk, I.

Pat. Quirk, p.  
J. Quilliam, +  
Wm. Cain, +  
Wm. Cain, +  
Jas. Crellin, +  
Wm. Quirk, +  
Tho. Keay, +  
Wm. Karran, +  
H. Quilliam, +  
B. Clucas, jun. +  
Tho. Gick, +  
Pat. Hutchin, +  
Tho. Kelly, +  
Tho. Cosnahan,  
John Gell, +  
Rich. Shimin,  
John Quay.

*At a Tynwald Court holden at St. John's Chappell the 24th Day of June, 1710.<sup>1</sup>*

Whereas an Instrument, bearing Date June 13th, 1710, has this Day been laid before us the Governor, Council, Deemsters, and 24 Keys, in these following Words :

<sup>1</sup> By the Patrick Church Act, 1879, a new Parish Church is authorized to be erected in another portion of the Parish.

The Bishop of this Isle laying it seriously to Heart of what evil Consequence it has been that the Inhabitants of the Parish of St. Patrick have for some Ages past been destitute of a Place of Publick Worship within the said Parish, is resolved, God willing, to promote the Building of a new Parish Church within the said Parish, provided he finds the Parishioners ready to put to their helping Hand, after such a Way as shall not be too great a Burthen to them, and as shall hereafter be set down.

And whereas Captain Silvester Radcliffe, and his Son Charles Radcliffe, with their respective Wives, have of their own Accord and free Bounty offered a Part of their Estate of Knock Aly-Moor whereon to build the said Parish Church, and sufficient for a Church-yard, Vicar's House and Garden; and several of the Chief of the Parish aforesaid have declared their Readiness to contribute to so pious a Work: The Bishop therefore proposeth and requireth in the first Place, That the said Parcel of Land be forthwith marked out, given, and dedicated, free of all Incumbrances, to the Uses aforesaid: And the Parishioners do for themselves, and in the Name of all such as are not present, together with the Churchwardens, oblige themselves to give (according to their Abilities and Holdings as they shall be called upon) their Day's Labour in getting and carrying of Stones and Slates to the Place where the Church is designed to be built, in serving of Masons, Slaters, Plasterers, and Flaggers, in bringing the Timber from the Port, and what Lime shall be necessary for Slating, Rendering, Plaistering, and Rough-casting; which, if they shall cheerfully undertake, the Bishop engageth,

First, Out of his own proper Bounty, and out of some other Moneys and Effects designed for pious Uses, of which he has the Disposal, to cause to be built within the Space of eighteen Months, the Lord prospering his Endeavours, a decent Church and Chancel in the Place aforesaid, and sufficient for the Necessitys of the Parish; and to pay all Masons, Carpenters, Glaziers, Slaters, and Plaisterers; and to find all Materials, Stones, Slates, Flags, Morter, and Lime excepted; the Parishioners finding themselves Seats such as the Ordinary shall approve of.

Secondly, The said Bishop engageth to procure, if it may be, an Act of Tynwald for the freeing of the said Parish for ever hereafter of all Charges and Assessments towards the Repairs and Service of the Church or Chappel of St. Peter's in Peele, and for ever to separate the said Parish of St. Patrick from the Parish of St. German after the Death or Promotion of the present Incumbent Mr. Mat. Curghey, and to assign the said Parish its own Vicar and Third of Tythes.

Thirdly, That in the mean Time, until the said Parish shall have a Vicar of its own residing in it, the Bishop will endeavour so to order that Divine Service shall their be read every Lord's Day, towards which he will contribute three Pounds a Year during his Life and continuing in this Bishoprick, and to have a sermon once a month either by the Vicar or others, as the Bishop shall appoint.

And forasmuch as it will be of the greatest Concern to the said Parish to have a Vicar dwelling amongst them, the Bishop expects and demands, that when the said Parish comes to have a Vicar of its own, or that the present Vicar desires to dwell amongst them, the Parishioners shall give their helping Hand as aforesaid, and as the Ordinary shall require, towards building a Vicaridge House: For the true and faithful Performance of all which, we the Bishop, Vicar, Churchwardens, and Parishioners of St. Patrick aforesaid, have set our Hands the Day and Year above written:

Tho. Sodor and Man,  
Matth. Curghey.

Tho. Radcliff, Tho. Quane, Pat. Quayle, Finlow Quirk, Churchwardens.—Silvester Radcliffe, Marg. Radcliff, Cha. Radcliff, Ellin. Radcliffe.

The Land given this Day by the said Captain Silvester Radcliffe, and his Son Mr. Charles Radcliffe, with the Consent of their Wives, is marked out as followeth:—From the Corner of Kill-Croo Glebe along the Highway forty-three Yards, from thence Eastward fifty-six Yards, from thence Southward to the Hedge of Kill-Croo thirty-six Yards, and thence back and Westward to the Highway fifty-nine Yards.

The Names of the chief Parishioners present, and signing to this Instrument:—John Watleworth, Henry Radcliffe, John Quirk, John Quirk, Phill. Quilliam, Thomas Water-son, Thomas Kenagh, Thomas Karran, Tho. Quirk, John Cosnahan, Gilb. Moore, Phill. Quilliam, Phill. Cubbon, William Killey, John Quirk, John Quilliam, William Halsell, Henry Killey, William Knickle, Tho. Quirk, Pat. Quirk, Jo. Quilliam, Jo. Kewish, William Gell, Phinlo Karran, William Canell, William Knickle, Tho. Kneale, William Knickle, William Karran, Hen. Quilliam, Richard Clucas, Junior, Tho. Gick, John Callister, William Callister, Tho. Quine, Jo. Fargher, Jno. Fargher, William Cottier, William Cain, James Crelling, Wm. Quirk, Tho. Keay, Wm. Karran, Pat. Hutchen, Thomas Kelley, Tho. Cosnahan, John Gell, Rich. Shimin, John Quay: Which Instrument we have deliberately perused, and knowing the Work therein mentioned and intended to be as necessary as pious, and no Objection being made by any therein concerned,

Building St.  
Patrick's  
Church.

Contribution  
of Parish-  
ioners.

Bishop's En-  
gagement.

Separation of  
Parish from  
German.

Vicarage  
House to be  
built.

Gratuitous  
grant of Land  
by Capt. Rad-  
cliffe.

1. Be it therefore enacted by the Authority aforesaid, That the said Instrument be in every Particular accepted of and confirmed according to the true Meaning and Intent thereof, so as to oblige all Persons therein concerned :
2. Be it also enacted, That from and after the Publication of this Act the Parishioners of Kirk Patrick be for ever freed from all Charges and Assessments towards the Repair of the Church or Chappel of St. Peter's in Peele ; provided, that this Act, nor any Thing therein contained, shall in no wise prejudice the present Incumbent Mr. Matth. Curghey, the present lawful Vicar of the Parishes of Kirk Patrick and Kirk German.
3. And to the End so good and so necessary a Work may not meet with any Stop or unreasonable Delay from the Backwardness or Indifferency of any concerned therein ; the Bishop is hereby impowered to nominate any four Persons of the Parish of St. Patrick aforesaid, and to appoint them Overseers of the Work, who may from Time to Time call upon and oblige the severall Inhabitants of the said Parish to perform in their Course, and according to their Abilities or Holdings, such Day's Labour as shall be found necessary to the carrying on and finishing the Work intended, and to which they have obliged themselves.
4. *Memorandum.* That the Effects mentioned in this Act to be in the Lord Bishop's Hands, and at his disposing, is a Parcel of Sheet Lead in the Cathedral at Peele ; and his Lordship having acquainted this Court therewith, they are of Opinion that the said Effects cannot be better applied than to such pious Uses.

Confirmation  
of Instru-  
ment.

Appointment  
of Overseers.

Jo. Parr,  
Dan. Mylrea

J. Stevenson,  
Tho. Stevenson,  
Ewan Christian,  
Nich. Christian,  
Sill. Radcliff,  
Robert Christian,  
Cha. Moor,  
Tho. Christian,  
Robert Curghey,  
John Oates,  
Jo. Wattleworth,

Robert Mawdesley,  
Chris. Parker,  
J. Rowe,  
William Sedden.

Tho. Corlett,  
John Curghey,  
James Bancks,  
Jo. Wattleworth,  
James Christian,  
Edm. Corlet,  
John Harrison,  
Robert Moor,  
Dan. Lacc,  
William Tyldesley,  
John Fargher.

*Lathom, 30th August, 1710.*

I allow of and give my Consent to the within-mentioned Act, and order that the same be published at the Tynwald Hill according to the usuall Form and Custom of my Isle of Mann.

DERBY.

*At a Tynwald Court holden at St. John's Chappel the 20th of October, 1710.*

This Day the beforegoing Act was proclaimed and published upon the Tynwald Hill in due Form of Law.

John Parr,  
D. Mylrea.

J. Stevenson,  
Ew. Christian,  
Cha. Moor,  
Tho. Stevenson,  
John Oates,  
Ro. Curghey,  
Tho. Corlett,  
John Harrison,  
William Tyldesley,  
Ro. Christian,

Robert Mawdesley,  
J. Rowe,  
William Sedden.

Tho. Christian,  
John Wattleworth,  
James Bancks,  
Sill. Ratcliffe,  
John Wattleworth,  
James Christian,  
Ro. Moor,  
Edm. Corlet,  
Will. Christian,  
John Curghey.

## INSULA MONÆ.

*At a Court holden in Castle Rushen the third Day of August, Anno Domini 1711, before the Governor, Council, Deemsters, and Twenty-four Keyes, the Representative Body of this Island.*

**An Act for preventing Frauds in her Majesty's Customes by the Exportation of forraigne Goods from this Island.<sup>1</sup>**

Whereas Complaint hath been made to this Court by Her Majesty's Officers of the Customs (residing within this Island) that great Quantities of Tobaccocoe and other foreign Goods and Merchandize, which have been imported into this Island from Great Brittain, and there intituled to Drawback by Debenture, all, or the greatest Part of the Duties payable there for the same, have been afterwards exported from hence, and privately carried back into some Port of Great Brittain or Ireland, whereby Her Majesty has been greatly defrauded in her Customes and other Duties, and the fair Traders greatly prejudiced; and also, that great Quantities of Wine, Brandy, and other forreign Goods and Merchandize have been shipped of and exported from this Island, and privately landed in Great Britain and Ireland without paying Her Majesty's Customes and other Duties; and the Government of this Island being willing as much as in them lyes to hinder and prevent the Frauds aforementioned, and being in hopes that her Majestie and the Parliament of Great Brittain will, in consideration of this Law, and the Poverty of this Island, make it lawfull that the Bestials, or any other Goods of the Growth, Product, and Manufacture of this Island, may be imported and landed in Great Britain free of all Customes whatsoever; be it therefore enacted, by the Right Honourable James Earl of Derby, Lord of the said Island, the Governor, Council, Deemsters, and twenty-four Keyes,

Smuggling to Great Britain and Ireland.

Products of Isle of Man.

1. That from and after the twenty-ninth Day of September in the Year of our Lord one thousand seven hundred and eleven, no Wine, Brandy, or any other forreign Goods and Merchandize whatsoever, shall be shipped or exported from this Island for any Part of Great Brittain or Ireland until the Person or Persons exporting the same shall enter into one or more Bonds, with two or more good and sufficient Suretys, Inhabitants on this Island, to be approved of by Her Majesty's chief Officer of the Customes residing here, unto the Waterbayliff of this Island, in Penalty of double the Value of the Customes and other Duties due and payable for the said Goods upon their Importation into Great Brittain or Ireland respectively, with Condition that the Person or Persons so exporting any of foresaid Goods shall land the same in some Port of Great Brittain or Ireland, and shall within six Months after the Date of such Bond bring a Certificate in Writing, under the Hands and Seals of the respective principal Officer of the Customes of the Port or Place where such Goods shall be landed, that the same hath been duly entered, and the Duties thereof paid, the Danger of the Seas excepted; and for want of such Certificate the said Waterbayliff shall, and is hereby obliged to cause the same to be put in suit, and prosecuted to the utmost Effect.

Debenture Goods to be exported on Bond for Duties to Waterbailiff.

2. And in case the said Waterbayliffe shall not make such effectuall Prosecution for the recovering the Penalty of such Bond, or shall by any Act or Deed of his own vacate or discharge the same, that then and in either of the said Cases the said Waterbayliff (being lawfully convicted thereof) shall forfeit so much as the Penalty of such Bond shall amount to, and shall also loose his Office, and be for ever thereafter incapable of bearing any publick Employment in the said Island.

Penalty on Waterbailiff.

3. And it is hereby further enacted, That if any Person or Persons whatsoever shall be aiding or assisting in the Shipping or Exportation of any such Wine, Brandy, or other Goods or Merchandize as aforesaid, before the before-mentioned Security be given, he or they so offending being thereof lawfully convicted as aforesaid, shall forfeit so much as double the Value of the said Customes and other Duties due and payable for such Goods upon their being imported into Great Brittain or Ireland respectively shall amount unto; and if any the Goods or Merchandize aforesaid shall be put on board any Vessells, Boats, or Barks, before such Security be given as aforesaid, such Goods, together with the Vessells, Boats, or Barks, shall be forfeited and lost.

Penalty for aiding in unlawful Export.

4. And it is hereby further enacted, That any Officer or Officers of the Customes, lawfully authorised by four or more of the Commissioners of the Customs in Great Britain, shall have full Power and Authority, as well as the Lord's Officers, to seize and prosecute any Goods or Vessels hereby forfeited, and also to prosecute any Person or Persons whatsoever offending in any the Cases aforesaid; and such Officer or Officers

Goods shipped for Exportation before Bond given, forfeited with Vessel.

<sup>1</sup> Suspended by Statute of 1714. By Act of Parliament 7 Geo. III. c. 45. (1767) all export and import duties ceased and new duties were imposed.



Right of  
Search.

shall have full Power and Authority to repair on board any Ship or Vessell whatsoever, and there to examine and take Account of all the Goods and Merchandize as shall be put on board either for Great Britain or Ireland, or any foreign Parts.

Fine for  
resisting  
Search.

5. And if any of Her Majesty's Officers of the Customes shall be hindered, assaulted, or abused, by any Person or Persons whatsoever, in the Execution of their Duties, either on Land or on Shipboard, all and every such Person or Persons so hindering, assaulting, or abusing any such Officer of the Customes, shall forfeit a Sum not exceeding fifty Pounds.

Liberty to  
export to  
Foreign  
Countries  
on giving  
Bond.

6. Provided always, that it shall and may be lawful for any Person or Persons whatsoever to export from this Island any of the aforementioned foreign Goods and Merchandize into any foreign Port or Nation, the Person or Persons exporting the same making Oath before the Waterbayliff, and in the Presence of Her Majesty's Officer or Officers of the Customes, that no Part of the said Goods shall be landed in Great Brittain or Ireland, and giving Bond in the Value of the said Goods to the Waterbayliff aforesaid, with Condition to land the same in some foreign Port or Nation; and if it shall not be made to appear that the said Goods, or some Part thereof, shall have been landed in Great Britain or Ireland within the Time of three Years, then the said Bond shall be vacated and delivered up.

Wool to be  
exported to  
Great Britain  
only.

7. And whereas the hindering the Exportation of Wool of the Growth of this Island into foreign Parts will be of great Advantage to the Woolen Manufacture of Great Brittain, be it enacted by the Authority aforesaid, That no Wool of the Growth of this Island shall be put on board any Ship or Vessell with an Intention to be shipped or exported to any foreign Parts, except to Great Brittain, upon the Penalty of forfeiting the said Wool.

Distribution  
of Penalties.

8. And be it further enacted by the Authority aforesaid, That all the Penalties and Forfeitures before in this Act mentioned shall be distributed and disposed of as followeth, viz. one third Part to Her Majesty, her Heirs and Successors, one third Part to the Lord of this Isle, and the other third Part to such Person or Persons as shall seize and sue for the same in any the Courts of Record within this Island.

Oath to be  
made that  
Bestialls and  
other Goods  
exported are  
produce of  
Island.

9. And in regard it will be necessary for the better Satisfaction of the Officers of the Customs in Great Brittain, that the Bestialls and Goods of the Growth, Product and Manufacture of this Isle, to be exported thither and are to be free of Customes there, that the same are really so, be it enacted by the Authority aforesaid, That before Shipping the Bestialls or Goods for Great Brittain the Exporter or Exporters thereof shall make Proof upon Oath before the Waterbayliff of this Isle, (Her Majesty's Officer residing here being present,) who is to certify that the same are really and *bond fide* of the Growth, Product, or Manufacture of this Island; which Certificate is to contain the Tale, Measure, or Weight of such Bestialls or Goods, with the Name or Names, Place or Places of Abode of such Exporters or Persons that shall make such Proof upon Oath as aforesaid, and to be attested by Her Majesty's Officer residing here: Provided always, that if any Question or Controversie shall at any Time arise or happen touching the due Execution of this Act, or any Part thereof, the same shall be determined by the Laws of this Island.

Custom-  
house Hours  
of Attend-  
ance.

10. And the better to prevent Complaints of this Kind, all Persons, as well Officers as Traders, are to observe Custom-house Hours for the future, viz. from Eight to Twelve, and from Two to Four, in the Winter; and from Six to Twelve, and from Two to Six, in the Summer.

Irish Cattle  
to be branded  
on the Horn.

11. And to prevent any Suspicion, Complaints, or Dispute, that shall or may hereafter happen or arise concerning the Exportation of Irish Cattle among those of the Growth and Product of the Island, be it enacted by the Authority aforesaid, That from and after the twenty-nine Day of September afore mentioned, all Irish Cattle imported into this Island shall be branded in the Horne with a particular Mark to be made for that Purpose, one of which Marks is to be lodged in the Hands of the Deputy Searcher of each Port within this Isle, who is immediately upon the Landing of the said Cattle to brand them all with the Mark before mentioned, (for which he is to receive a Penny of Head from the Importer,) and then to certify under his Hand unto the Waterbayliff, and unto Her Majesty's Officer residing here that the said Cattle are marked and branded by him as aforesaid, before the Importer shall be admitted to an Entry for the same; and if it shall happen that any Importer or other Person or Persons whatsoever shall either neglect or refuse to have his Cattle marked as aforesaid, or shall go about to export any Irish Cattle clandestinely, or any such shall be found in the Island to have been imported from and after the Day aforesaid, upon sufficient Proof made thereof, such Cattle shall be forfeited and seized in and to the Uses in and by this Act provided, and the Officer of the Port fined in any Sum not exceeding five Pounds, in case it shall be made appear that the same happened through his Neglect or Wilfulness.

Attempt to  
export Irish  
Cattle, for-  
feiture.

John Parr, }  
D. Mylrea, } Deemsters.

R. Mawdesley, Governor.  
Tho. Sodor and Man,  
J. Rowe, Comptroller,  
W. Sedden, W. B. & Att. Genl.

## Twenty-four Keyes.

John Stevenson,  
Tho. Stevenson,  
Ewan Christian,  
Cha. Moore,  
Sill. Ratcliff,  
Nich. Christian,  
W. Christian,  
James Bancks,  
James Christian,  
Tho. Christian,  
John Oates,

Rob. Curghey,  
Rob. Christian,  
Dan. Lace,  
John Curghey,  
John Harrison,  
Edm. Corlett,  
John Wattleworth,  
Wm. Tyldesley,  
Tho. Corlet,  
John Fargher,  
Robert Moore.

*Halnaker, October 6th, 1711.*

I allow of and give my consent to this Act, and will that the same be published at the next Tynwald Court according to the usual Forme of Law.

DERBY.

*At a Tynwald Court holden at St. John's Chappel the 5th of November, 1711.*

The before-mentioned Act was this Day published according to the usual Form of Law by us the Governor, Councill, Deemsters, and Twenty-four Keyes, whose Names are subscribed.

John Parr,  
Dan. Mylrea.

Robert Mawdesley,  
Tho. Sodor and Man,  
John Rowe,  
William Sedden.

## Twenty-four Keyes.

J. Stevenson,  
Tho. Stevenson,  
Ewan Christian,  
Cha. Moore,  
Nicho. Christian,  
Sill. Ratcliff,  
John Wattleworth,  
Will. Christian,  
Tho. Christian,  
John Oates,  
James Christian,

Rob. Curghey,  
Tho. Corlett,  
Rob. Christian,  
James Bancks,  
Dan. Lace,  
John Harrison,  
John Curghey,  
Edm. Corlett,  
John Fargher,  
John Wattleworth,  
William Tyldesley.

## INSULA MONÆ.

*At Castle Rushen the 8th of January, 1710.*

Whereas upon the humble Address of the 24 Keyes of the 31st of October last, praying his Lordship to lend such a Sum of Money as shall be needful for defraying the Charges of such Persons as shall be sent from this Island to attend the English Parliament for obtaining a free Trade for this Island with Great Britaine, his Lordship having taken into Consideration the said Address, and the Benefit which may arise from the Contents thereof, has of his great Care and tender Regard to the Welfare of his People of this Isle, been graciously pleased, upon the Credit of the said Address, to lend the Sum of one hundred Pounds for carrying on the Cause in the Parliament of Great Britaine, the like Sum to be paid unto his Lordship's Treasury within this Isle by virtue of an Act of Tynwald to be made and proclaimed within six Months next after the Date of the said Address;

1. It is therefore hereby ordered and enacted, That the said Sum of one hundred Pounds shall be raised, levyed, and collected of and from the several Tennants and Inhabitants of this Island out of their several and respective Holdings, as well Abbey and Baron Lands as Lord's Land, Mills, Cottages, and Intacks, by an equall and proportionable Assess according to their several and respective Estates and Holdings; which said Assess is to be made by four sufficient and able Persons, upon Oath, in every

Loan of  
Money by  
Earl Derby  
for expence  
of obtaining  
free Trade

for Island, to  
be reim-  
bursed by  
levy on  
Lands.

Parish, such as the Governor shall approve of and appoint; and the same to be levied and collected by them according to the usual Way and Course of Assessments within this Island; which said Sum is to be paid into his Lordship's Treasury on or before the ninth of June next, by Captain Nicholas Christian, Senior, of Ramsey, and John Harrison of Balla Glonney in Kirk Malew, two of the 24 Keyes, who are hereby authorized and empowered to receive the said Sum from the several and respective Assessors and Collectors of each Parish from Time to Time as they shall be called upon to pay the same;

Persons re-  
fusing to pay  
punished.  
Collectors  
Expenses.

2. And if any Person or Persons shall refuse to pay the Sum or Sums of Money that shall be assessed upon him or them as aforesaid, such Person or Persons so refusing shall be proceeded against according to the due Course of Law:

3. And for the Encouragement of such Persons as shall be appointed to assess and collect the said Sum of one hundred Pounds, the further Sum of five Pounds is hereby enacted to be assessed, levied, and collected in Manner as aforesaid, and paid to the said Assessors and Collectors for their Trouble and Pains in this Matter, viz. that the said Assessors and Collectors shall have Twelvepence for every Pound they shall collect and pay in as aforesaid.<sup>1</sup>

Jon. Parr,  
Dan. Mylrea.

Robert Mawdesley,  
J. Rowe,  
William Sedden.

Twenty-four Keyes.

J. Stevenson,  
Tho. Corlett,  
Sill. Radcliff,  
Nich. Christian,  
John Oates,  
James Christian,  
James Bancks,  
Tho. Christian,  
John Harrison,  
John Curghey,

Dan. Lace,  
Robert Christian,  
Edm. Corlet,  
Robert Moor,  
Jo. Wattleworth,  
John Fargher,  
William Tyldesley,  
William Christian,  
J. Wattleworth,  
Robert Curghey.

I do approve of and confirm the before Act, and require that it be published at the next Tynwald Court in usual Manner.

DERBY.

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At a Tynwald Court holden at St. John's Chappel the 24th of June, 1712.

The before-mentioned Act was published in Forme of Law.

Jno. Parr,
Dan. Mylrea,

Robert Mawdesley,
Tho. Sodor and Mann,
J. Rowe,
William Sedden.

Twenty-four Keyes.

Jo. Stevenson,
Tho. Stevenson,
Cha. Moore,
Nicho. Christian,
John Wattleworth,
Will. Christian,
Thomas Christian,
John Wattleworth,
John Curghey,
Rob. Curghey,
John Oates,

Rob. Christian,
Edm. Corlet,
James Christian,
John Harrison,
James Bancks,
Dan. Lace,
William Tyldesley,
Tho. Corlet,
John Fargher,
John Garret,
John Christian.

¹ Spent.

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**An Act for preventing Men and Women Servants  
from going out of this Island, for the better  
Supply of Servants here for the future.**

Whereas of late Years the Servants of this Island, both Servants' emigrating.  
Men and Women, as soon as they attain to the Age of sixteen or seventeen Years, and fit to serve in the Country, do, under the Notion of Necessity or other Pretence, obtain Lycence, and serve their whole Lives in other Countrys never returning but for their Portions, or when disabled by Age or Sickness, and oftentimes for their Crimes, (being exposed so young,) to the Scandal of the rest of the Natives, whereby this Island is no better than a Nursery for other Places, and the usefull Servants going off, and but a few left, besides such depraved, useless, or inactive People, who are rather a Burthen than any real Service to the Island; upon which will inevitably ensue the utter Decay, not only of Husbandry and Tillage, but also of all Kind of Trade, being thus drained of its useful Strength and Substance, which being too apparent this last Year, many of the best and most substantial Farmers being under a Necessity of obtaining Servants by a Jury, and thereby several Tennants and Householdors of lesser Rents obliged to serve them; for preventing which Inconveniences for the future, be it enacted by the Right Honourable James Earl of Derby, Lord of Man and the Isles, the Governor, Councill, Deemsters, and twenty-four Keyes of this Island,

1. That no unmarried young Man or Woman not well known to the Governor shall have Lycence to depart this Island untill they produce unto his Honour a Certificate under the Hand of the Parson or Vicar, and Captain of the Parish where they were born or reside, that they were never at any Service within this Island by the Year or Week for Wages, or any Consideration whatsoever; and that all other unmarried young Men and Women that have been at Service by the Year, Week, or more Time, for Money, Cloaths, or other Consideration whatsoever, shall have no Lycence to depart this Isle, till they produce to the Governor a Certificate under the Hand of the Parson or Vicar, and Captain of the Parish where they were born or reside, that they are twenty-five Years of Age, and have served seven Years thereof, or hath served lawful Apprenticeship.

Young Men and Women Servants not to depart this Island.

Licence by Governor on Certificate of Parson, &c.

2. And if the Parson, Vicar, or Captain shall wilfully refuse to give his or their Certificate upon the Tender of Twopence, or shall be found to return a false Certificate,

Penalty for refusing Certificate.

such Parson, Vicar, or Captain shall be find in *xxs.* to the Lord.

Masters and  
Mistresses to  
give Certifi-  
cates.

3. And the better to enable the Parson or Vicar, and Captain of the Parishes, to give true Certificates of the Service of the Persons applying to them as afforesaid, such Person or Persons shall be obliged to bring a Certificate from the Masters or Mistresses they have served, to the Parson or Vicar, and Captain, how long they have served, if they require them to do the same.

4. And if any such Master or Mistress shall give a false Certificate, they shall be likewise fined in *xxs.* ;

Liberty to  
emigrate for  
Health, &c.

5. Provided always, That this Act shall not be construed to restrain Strangers or Sojourners, Persons in the Service of any Man removing from this Island, to reside in any other Countrey, nor Persons under an absolute Necessity to go off for their Health, or recovering their Right, or some such other just Cause, which the Governor shall think sufficient and approve of, any Thing hereinbefore contained to the contrary notwithstanding.

|              |                     |
|--------------|---------------------|
| John Parr, } | Robert Mawdesley,   |
| D. Mylrea, } | Tho. Sodor and Man, |
|              | J. Rowe,            |
|              | William Sedden.     |

*Castle Rushen, 28th of January 1712.*

Twenty-four Keyes.

|                   |                    |
|-------------------|--------------------|
| J. Stevenson,     | Rob. Curghey,      |
| Tho. Stevenson,   | Ro. Christian,     |
| Nich. Christian,  | Edm. Corlet,       |
| John Wattleworth, | John Garret,       |
| Tho. Christian,   | Dan. Lace,         |
| John Wattleworth, | John Christian,    |
| Will. Christian,  | William Tyldesley, |
| John Oates,       | John Harrison,     |
| James Christian,  | John Fargher.      |
| Tho. Corlet,      |                    |

I do approve of and confirm this Act, and will that the same be published on Tynwald Hill in Forme of Law.

DERBY.

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*At a Tynwald Court holden at St. John's Chappel the
24th June, 1713.*

The before-mentioned Act was this Day published according to the usuall Forme of Law by us the Deputy Governor, Councill, Deemsters, and 24 Keyes, whose Names are subscribed.

Dan. Mylrea,

John Parr,
J. Rowe,
William Sedden.

The Twenty-four Keyes.

J. Stevenson,	Edm. Corlett,
Cha. Moor,	William Tyldesley,
Tho. Stevenson,	Rob. Curghey,
John Wattleworth,	Tho. Curlet,
Sill. Ratcliffe,	John Curghey,
John Wattleworth,	Will. Christian,
John Oates,	James Christian,
Tho. Christian,	John Garret,
Dan. Lace,	John Christian.
John Harrison,	

~~~~~  
An Act for repairing the Highways within this Island.<sup>1</sup>

For amending of Highways within this Isle, which now are or hereafter shall be ruinous, in decay, and dangerous for Travellers, Passengers, and Carriages, be it enacted by the Authority of the Right Honourable James Earle of Derby, Lord of Man and the Isles, the Governor, Councill, Deemsters, and twenty-four Keyes,

1. That the Setting Quest of every Parish shall yearly, upon every, Tuesday next after Michaelmas Day, meet and elect, and appoint one or more sufficient Person or Persons, such as the Governor and Officers at the several Sheading Courts shall approve of, to be Overseer of the Highways within the severall Parishes of this Isle for one whole Year; and the said Setting Quests, under the Penalty of *xs.* Fine, are to give Notice to the said Persons to appear at the next Sheading Court held for that Parish after the Feast of St. Michael the Archangel in every Year, to take their Oathes for the Execution of the said Offices, upon Pain of any of them making Default to forfeit ten Shillings to the Lord of this Isle; and such Overseers so approved of and sworn shall be exempt and freed from serving in Jurys, Muster, Watch, and Ward within this Island, during the Time they shall continue in the said Office.

Setting Quest  
to appoint  
Overseer of  
Highways.

2. And for the Manner of repairing the Highways, be it enacted by the Authority aforesaid, That all and every Person and Persons whose Lands adjoin to the Highways, as well Intacks as Barron's and Lord's Quarter-lands, that are now out of Repair, shall, within one Month after the Publication of this Law, expend the Sum of three Shillings Fourpence a-piece in repairing of the same, after such Manner as the said Overseer of the Parish or District where the same lies shall order and direct, and thereupon to be freed from any further Charge that Year; and if the said *3s. 4d.* do not sufficiently repair the said Ways, that then the said Way shall be further repaired by the Labour of the rest of the Inhabitants of the said Parish, that is to say, every Person or Persons holding a Quarter-land, as well Barron's as Lord's Tennants, shall send one sufficient Horse, with a Carr or Creels, convenient for the Amendment of the said Highways, and

Landholders  
to spend  
*3s. 4d.* each  
on repair.  
Parochial  
Labour.

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<sup>1</sup> Amended by Highway Act 1753 (Chap. 5) and repealed by Highway Act of 1776.

- an able Man with the same, with an English Spade, or other necessary Tools, as the Overseer of the Highways for the Time being shall direct and appoint; and if any Person or Persons shall have more or less than one Quarter of Land, he or they shall do their Service to the said Highways proportionably to what is above-mentioned, upon Pain for every Time that any of the above-mentioned Person or Persons shall make Default to forfeit 2s. 6d. to be employed for Repair of the Highways;
- Fine for non-attendance.** 3. And that every Intack and Cottageholder, not being an hired Servant by the Year, shall by himself, or sufficient Labourer, come to the Amendment of the said Highways with such necessary Tools as they use in their own Work, upon Pain of every Intack or Cottageholder making Default to forfeit for every Day 12d. to be employed as above-said; for the Performance of the abovesaid Repairs, the said Overseers are to charge the Tennants and Inhabitants of their respective Parishes in a due and regular Course, without Favour or Affection.
- Liberty to cut Drains on adjoining Lands to carry off Water.** 4. Be it further enacted by the Authority aforesaid, That where any Water or Spring lies in the Highway, without any sufficient Drain to carry it off, it shall and may be lawful for the said Overseer not only to cause Trenches to be opened in the Highway, but also cause to be cut or open one or more Draine or Draines into the Lands adjoining, to carry off the said Water, in such Places as shall be most convenient; which Trenches or Draines are afterwards to be kept open, and cleansed by the Owners of the Lands at their own proper Costs and Charges.
- Liberty to raise Gravel for repair.** 5. And that the Reparations of the said Highways may hereafter in due Manner be well and sufficiently made, be it further enacted by the Authority aforesaid, That if there shall be Stones, Gravel, Sand, &c. wanting which cannot conveniently be had in any Wast or Common within Half a Mile of the Place where such Repairs are to be made, it shall and may be lawful for the Overseer of the Highways to enter into any Person's Land where the same may be found, and to digg, raise, and carry away such a Quantity of Stones, Gravel, or Sand, as shall be sufficient to repair the Highway, the same not being in any House, Yard, Garden, or Meddow, but where it may be of least Damage to the Owner of the said Lands, the said Overseer causing the Pitts made on this Occasion to be filled up again with Rubbish and Earth.
- Satisfaction to Owner of Land for Damage done.** 6. Always provided, that if the Damage be considerable, that Satisfaction is to be made to the Owner of the Land by a regular Assess at the publick Charge of the Parish, as the Governor and Officers shall think fit to order; and the said Overseer of the Highways shall always have a Way for carriage of the said Stones, Gravel, or Sand, through any Lands that lies betwixt the Place the same is got and the Highway, in such Place as shall be of least Damage to the Owner of the Lands, he causing what Gapp he shall make to be sufficiently made up again; all which to be done at the publick Labour of the Parish in Manner as aforesaid.
- Power to widen Roads.** 7. And be it further enacted by the Authority aforesaid, That if any Part of the Highway shall be found not to be of a sufficient or lawfull Breadth, it shall and may be lawful for the Overseer of the Highways to enlarge the same out of the Barrons or Quarterlands adjoining thereunto, where there is noe Intacks or Incroachments on the opposite Side of the Way, out of which Intacks the said Highway is to be first enlarged.
- Gates.** 8. And that all Persons who have, or are obliged to keep Gates on the Highway, shall, within three Months next after the Publication of this Act, make the same seven Feet wide in the clear, otherwise in Default to forfeit 10s. to the Lord for every Time he shall neglect to do the same.
- Implements for repairing to be kept in order.** 9. And forasmuch as there will be a Necessity for Pickaxes and Crows in each Parish within this Isle for the repairing the Highways, be it enacted by the Authority aforesaid, That there shall be four Pickaxes and one Crow made where needfull, provided and kept in Repair in every Parish within this Isle by an equall Assess upon the Inhabitants thereof, as well Barron's as Lord's Tennants; which said Pickaxes and Crows are to be lodged in the Hands of the Overseer of the Highways of the said Parish, to be employed in the repairing of the Highways only; and as often as the said Overseers are changed, the said Pickaxes and Crows to be delivered to the new Overseers, otherwise in Default the said old Overseer shall be liable to make good the same, and provide another, or as many as shall be wanting, at his own proper Cost and Charges; and if the new Overseer of the Highways shall conceal the want of such Pickaxes and Crows as are not so delivered unto him by the old Overseer, he shall be fined in 6s. 8d. for the same, and in case of the Death or Insolvency of the Overseer in whose Hands, the same miscarry, shall also be lyable to make good the same at his own proper Cost and Charges, if the Fault appear to be in him.
- Roads to be cted in each y Cap- ad In-** 10. And be it further enacted by the Authority aforesaid, That the Overseers of the Highways, together with the Captain and four of the Great Enquest of the several Parishes within this Island, shall twice in every Year, viz. within a Week after Candlemas Day, and within a Week after Midsummer Day, view all the Highways within their several Parishes and Precincts, as well on the Mountains as the Low Lands; and where they find any Part of the Highways to be out of Repair, the Overseers of the several Parishes are to give Notice to such Persons as are before by this Act obliged to repair the said Highways, of the Days and Place which the Overseer shall appoint for

the same, by making Publication thereof two Sundays next before the Days appointed, at the several Parish Churches, and to affix a Paper on the several Parish Churches Doors, containing the Days appointed, and the Names of such Persons as are to come to repair of the said Ways, to the End that no Person may plead Ignorance thereof.

11. And forasmuch as several Persons, without any farther Care taking, turn their Horses, Cattle, and Goods into the Highway, more especially in the Winter Time, to the great Prejudice and Damage of such Farmers as have Lands adjoining to the Highways, be it therefore enacted by the Authority aforesaid, That if any Person or Persons shall suffer his or their Horses, Cattle, Sheep, Swine, Goates, or such like Goods, to go, remaine, and be in the Highways, except Travellers for refreshing their Horses for two Hours, that it shall and may be lawful for such Tennants or Farmers, at any Time in the Year, as well Winter as Summer, to lead, drive, or carry away the said Goods so being in the Highways to the Pinfold in that Parish where such Goods shall be so found as aforesaid; and the Owner or Owners of the said Goods to pay the like Trespass Money and Fees for the said Goods in such Manner as by a late Act, made the 25th June 1705 against trespassing in Winter and Summer, is provided, any Thing before to the contrary hereof notwithstanding.

12. And if any Dispute arise what shall be accounted Highways, the same shall be determined by the Governor, Councell, Deemsters, and twenty-four Keyes.

13. And it is further enacted by the Authority aforesaid, That the Governor, or any of the Lord's Councell, or either of the Deemsters, or any of the 24 Keyes, shall have Power and Authority upon his or their own View and proper Knowledge, at any Court of Chancery, or at any of the Sheading Courts, to make a Presentment of any Highway within this Isle out of repair and in decay, or of any other Default or Offence, committed or done, either by the Neglect of the Overseers, or the Persons failing to come to the Repair of the Highways, contrary to the Provision, Intent, and true Meaning of this Statute; upon which Presentments such reasonable Fines shall be imposed as the Governor and Officers at any Court of Chancery, or Sheading Court, shall think fit to sett; and if any Difference happen in any Thing relating to this Act, the same shall be heard and determined in the Court of Chancery, or Sheading Court.

14. And it is further enacted, That all Causeways upon Highways shall not be less than 3 Foot wide, and that all Pavements in Streets and Market Towns shall be even and regularly paved by the severall Inhabitants thereof to the Middle of the Street, as farr as their Penny Rent extends, within one Month next after the Publication of this Act, and afterward for the future to be always kept in good Repair, upon Pain of xs. Fine for every Default or Neglect, one Half to the Lord of this Isle, and the other to the Constable or Captain of the severall Garrisons or Ports of this Isle, if they, or any of them, make Presentments of any the Defaults or Neglects aforesaid, if any be, at the then next Chancery or Sheading Courts, who are hereby impowered from Time to Time to make Presentments; and if the said Constables or Captains neglect to make such Presentments to forfeit vs., one Half to the Lord's Use, and the other Half to any Person that shall informe against the said Constables or Captains for their Neglect.

*Castle Rushen, 28th January, Anno 1712.*

Jon. Parr, }  
D. Mylrea, } Deemsters.

Robert Mawdesley,  
Tho. Sodor and Man,  
J. Rowe,  
William Sedden.

#### Twenty-four Keyes.

J. Stevenson,  
Tho. Stevenson,  
Nich. Christian,  
John Wattleworth,  
Tho. Christian,  
John Wattleworth,  
Will. Christian,  
Rob. Curghey,  
Ro. Christian,  
Edm. Corlet,

John Garret,  
Dan. Lace,  
John Christian,  
William Tyldesley,  
John Oates,  
James Christian,  
Tho. Corlet,  
John Harrison,  
John Fargher.

I do approve of and confirm this Act, and will that the same be published on the Tynwald Hill in Forme of Law.

DERBY.

Horses,  
Cattle, &c.  
found on  
highway to  
be im-  
pounded for  
Trespass.

Disputes  
respecting  
highways to  
be deter-  
mined by  
Governor,  
Council, and  
Keys.

Offences or  
Nuisances on  
highways to  
be presented.  
Footways to  
be three feet  
wide.



*At a Tynwald Court holden at St. John's Chappell the 24th of June 1713.*

The before-mentioned Act was this Day published according to the usuall Forme of Law by us the Deputy Governor, Councill, Deemsters, and 24 Keyes, whose Names are subscribed.

Dan. Mylrea.

John Parr,<sup>1</sup>  
J. Rowe,  
William Sedden.

Twenty-four Keyes.

J. Stevenson,  
Cha. Moor,  
Tho. Stevenson,  
John Wattleworth,  
Sill. Ratcliffe,  
John Wattleworth,  
Rob. Curghey,  
Tho. Curlet,  
John Curghey,

Will. Christian,  
John Oates,  
Tho. Christian,  
John Harrison,  
Edm. Corlett,  
William Tyldesley,  
James Christian,  
John Garret,  
John Christian.

*At a Court*

*Holden at Castle Rushen the 25th Day of September 1713, before the Governor, Councill, Deemsters, and 24 Keyes of the Island.<sup>2</sup>*

Non exportation of Foreign Goods but under Bond.  
Recital of Proposal for importing Produce of Isle to Great Britain free of Duty.

Recital of hardships of Non exportation Act.

Whereas in compliance with and Proposals laid before the Honourable the Commissioners of Her Majestie's Customes to prevent the Complaints made by them touching the Exportation of forreign Goods from this Island, there was a Law made here, published and proclaimed the 5th of November 1711, and immediately put into Execution, restraining the Trade of this Island, by obliging all Persons exporting forreign Goods from hence to enter into Bond with two or more sufficient Sureties, Inhabitants of this Island, that the said Goods so exported by them should be landed in the Port or Place the same were entered for, and to return Certificate within six Months that her Majesty's Duties were fully paid, otherwise the Bond to be forfeited and sued, with many other Restrictions, as in and by the said Act may more fully appear; in consideration of which Laws so past and put in Execution within this Island, it was hoped and expected that the Parliament of Great Brittain would make it lawfull for the Inhabitants of this Island to import into Great Brittain the Bestialls and other Goods of the Growth, Prodnct, or Manufacture of this Island, free of all Customes and Duties whatsoever, according to our true Intent and Meaning in passing the said Act, and according to the Proposals laid before the said Commissioners, considered and agreed upon by them, who were attended by the Right Reverend the Lord Bishop of this Island, William Sedden, Attorney General, and Ewan Christian, one of the 24 Keyes, upon Expence upwards of eight Months on this Occasion; which said Proposals were by them the said Commissioners laid before the Honourable the Lords of the Treasury to be forwarded into Parliament, as the likeliest Means to prevent the Complaints aforesaid; And forasmuch as the said Act hath ever since the said 5th of November been in force and punctually observed, without any Freedom granted to the Inhabitants of this Island in respect of their Trade with Great Brittain as aforesaid, but that the Commodities of this Island stand still burthened with the same high Duties there as heretofore, by means whereof our small Trade here is greatly sunk, the Inhabitants discouraged in the Importation of their Goods into Great Brittain, and the Merchants Stranger having forsaken us, as deterred and rendered incapable of trading amongst us, by reason of the Restrictions and Hardships they are lyable to by the said Act, being such as is not practiced or required in any Part of Her Majesty's Dominions, and considerable Quantitys of their Goods perished and decayed here for want of Freedom to export them, the Effects whereof being already too apparent by the Decay of Trade amongst us, and the general Stop there is at present to the Sail and Vent of those few Commodities this Island affords, by the Continuance of which will soon ensue the Misery and Decay of this Land, and the Inhabitants thereof,

<sup>1</sup> Deemster Parr, Deputy Governor.

<sup>2</sup> By Act of Parliament 7 Geo. III. c. 45 (1767) all export and import duties ceased and new duties were imposed.

under which we can no longer support ourselves : Therefore we the Governor, Council, Deemsters, and 24 Keyes of this Island, do humbly pray and desire the Right Honourable James Earl of Derby, Lord of the said Island, that the said Act may be suspended; and be it enacted by the Right Honourable James Earle of Derby, Lord of Man and the Isles, the Governor, Council, Deemsters, and twenty-four Keyes, of the same, That the said Act shall from the Day of the Publication hereof be suspended, and of no force for one Twelvemonths next immediately following the said Day of Publication hereof, and so from Year to Year afterwards, or untill the Freedom of Trade for the Inhabitants of this Island with Great Britain be granted as the same was agreed upon with the Honourable the Commissioners of Her Majesty's Customs in London in Manner as is before mentioned; and the same (to prevent the Ruin of this Island) is hereby suspended and made void to all Intents and Purposes during the Term aforesaid; and that all Persons trading to this Island shall be free from the Restrictions and Hardships therein mentioned during the said Term, the said Act or any Thing therein contained to the contrary hereof notwithstanding.

Non exportation Act suspended.

Dan. Mylrea.

C. Z. Stanley,  
Tho. Sodor and Man,  
J. Rowe,  
William Sedden.

Twenty-four Keyes.

John Stevenson,  
Tho. Stevenson,  
Cha. Moore,  
Nich. Christian,  
Sill. Ratcliff,  
W. Christian,  
John Wattleworth,  
Tho. Christian,  
John Oates,  
James Christian,  
Rob. Christian,

Rob. Curghey,  
Tho. Corlett,  
Dan. Lace,  
John Wattleworth,  
John Curghey,  
Edm. Corlett,  
John Garrett,  
Wm. Tyldesley,  
John Fargher,  
John Harrison,  
Phi. Moore.

I do approve of and confirm this Act, and will that the same be published on the Tynwald Hill in Forme of Law.

DERBY.

~~~~~  
At a Tynwald Court holden at St. John's Chappell the 27th May, 1714.

The beforegoing Act being approved of and confirmed by our Honourable Lord in Manner as aforesaid, was this Day publicly proclaimed upon the Tynwald Hill according to antient Forme and Custome; as witness our Hands the Day and Year above written.

Dan. Mylrea.

Alexander Horne,
Tho. Sodor and Man,
J. Rowe,
William Sedden.

J. Stevenson,
Tho. Stevenson,
Cha. Moor,
Sill. Radcliff,
Tho. Christian,
John Oates,
James Christian,
James Bancks,

Rob. Christian,
Tho. Corlett,
John Harrison,
John Wattleworth,
John Fargher,
William Tyldesley,
John Christian
Phi. Moore.

~~~~~

*To the Right Honourable Charles, Earle of Derby, Lord of Man and the Isles, &c.<sup>1</sup>*

The humble Petition of your Lordship's Tennants, the 24 Keyes of your Honour's Isle of Mann,

Shewing,

Petition that  
reclaimed  
Lands be  
freed from  
Tithe for  
three years.

That being moved (upon Complaint made) to take notice of the Request of certain Persons who improve such their Lands by stubbing and ridding thereof from Gorse and other Rubbage fitt for liming and marling, that the like improved Grounds, might be freed of the Tyth thereof for some Number of Years towards some Satisfaction of their extraordinary Charges in that Kind; and notwithstanding that we are of opinion that the Number of three or four Years, or thereabouts, might (in Reason). bee allowed towards the satisfying of such Charges before the same be tythable, (but no Way intending to abridge or hinder the Church of their antient Dues of Tythes; yet in respect that diverse such Tythes are your Lordship's Impropriations and Inheritance, we are not capable to order any Thing therein without your Lordship's Approbation, and honourable Consent: Therefore humbly present the same to your Honour's Noble Consideration, and presume the Right Reverend the Lord Bishop of this Isle and the Worshipful Officers will also signify the Truth of this Complaint, and Request made for your Honour's better Satisfaction herein; and as bound shall ever pray for your Lordship and Honourable Familie, &c.

Thos. Moore,  
Rob. Calcott,  
Chas. Stanley,  
John Norris,  
T. Huddleston,  
Rob. Quaille,

Thos. Harrison,  
Thos. Bancks,  
R. Stevenson,  
Pat. Christian,  
Ewan Curghey,  
William Corlett,  
Will. Christian,

William Caine,  
John Standish,  
Tho. Casement,  
Will Corlett,  
John Fargher,  
Tho. Woods,  
John Taubman.

Prayer of  
Petition  
granted.

*Knowsley, the 1st of Aprill, 1667.*

I have perused and considered this Petition, and conceive the Petitioners' Proposals agreeable to Reason; and therefore order that all Persons (in my Isle of Man) who make Improvements (as mentioned in this Petition) shall be Tyth-free for the first three Years; provided that such Lands as have been formerly tilled or plowed may not lye unsowne, to the Prejudice of the Clergie of my Island.

DERBY.

### INSULA MONÆ.

*At a Court held at Castle Rushen the 22d Day of September 1726, before the Governor, Councill, Deemsters, and 24 Keyes, the Representative Body of this Isle.*

An Act passed for preventing of Salt being exported out of the said Isle into any Part of Great Britain.

Salt.

In order to prevent the Exportation of Salt imported into this Isle to any Part of Great Britain, be it enacted and ordained by the Right Honourable James Earl of Derby, Lord of Mann and the Isles, &c., and by the Governor, Councill, Deemsters, and twenty-four Keyes of the said Island, That from and after the Feast of St. Martin the Bishop, in Winter next ensuing, it shall not be lawfull for the Master or Marriners of any Ship, Boate, Bark or Vessel, or any other Person or Persons, on any Pretence or

<sup>1</sup> Spent.

Account whatsoever, to carry off this Island, or export from hence unto any Part of Great Britain, any Quantity of Salt exceeding two Bushells for the Ship's Store, under the Pains and Penalties hereafter mentioned and set down; namely, that the Master, or any of the Marriners of such Ship, Boat, Bark, or Vessell, so carrying off the said Salt, or any other Person or Persons aiding or assisting therein, and lawfully convicted thereof, shall suffer three Months Imprisonment, and forfeit the Sum of thirty Pounds, Two-thirds thereof to the use of the said Earle, and the other third Part to the Person or Persons informing, any Law, Custome, or Usage to the contrary hereof in any wise notwithstanding.

Not more  
than two  
bushels of  
Salt to be  
taken off the  
Island for  
Ship's Store.

Tho. Sodor and Man.  
Cha. Moore.  
Nich. Christian.

Tho. Horton.  
James Horton.  
Jno. Brownell.  
Dan. Mylrea.

J. Stevenson,  
Sill. Ratcliffe,  
Will. Christian,  
Rob. Curghey,  
James Christian,  
John Wattleworth,  
Dan. Lace,  
John Christian,  
William Murrey,  
Jon. Taubman,  
Tho. Stevenson,

Edm. Corlett,  
John Murrey,  
Tho. Corlett,  
Phil. Moore,  
Rob. Maddrell,  
Thos. Christian,  
James Bancks,  
John Harrison,  
John Garret,  
John Fargher.

*Knowsley, October the 6th, 1726.*

I do approve of and confirm this Act, and will that the same be published on the Tynwald Hill in Forme of Law.

DERBY.

*At a Tynwald Court holden at St. John's Chappell the  
18th Day of November, Anno Domini 1726.*

The beforegoing Act, intituled, "An Act for preventing  
" of Salt being exported out of this Isle into any Part of  
" Great Brittain," &c. being confirmed and allowed of by  
our Honourable Lord, was this Day publickly proclaimed

upon the Tynwald Hill in Forme of Law. Witness our Hands the Day and Year above written.

Tho. Sodor and Man.  
Cha. Moor.  
Nich. Christian.

Tho. Horton.  
James Horton.  
Jno. Brownell.  
Dan. Mylrea.



### The Twenty-four Keyes.

J. Stevenson,  
Sill. Radcliff,  
John Murrey,  
James Bancks,  
Edm. Corlet,  
Will. Murrey,  
Rob. Curghey,  
James Christian,  
Tho. Corlett,  
Jon. Taubman,

Dan. Lace,  
John Wattleworth,  
John Garret,  
John Christian,  
Tho. Stevenson,  
Tho. Christian,  
Rob. Maddrell,  
Phi. Moore,  
John Harrison,  
John Fargher.

## CHAPTER I.

An Act for removing the Parish Church of Kirk Lonnan, and building the same in a more commodious Part of that Parish.<sup>1</sup>

**Kirk Lonnan Church small and inconvenient.** Forasmuch as the Parish Church of Kirk Lonnan is in a ruinous Condition, and that the same is too little by a third Part for the Congregation, and also situate in a remote Corner of the Parish, to the very great Inconveniency of the Generality of the Inhabitants, who earnestly desire to have a new Church built in or near the Middle of the Parish, as appears by a Return of the Votes of the Parishioners dated the 5th of July, 1732, under the Hands of the Worshipfull Deemster Christian and the Reverend Mr. Vicar Generall Curghey, who at the last Tynwald were appointed to take the same, upon the humble Petition of most of the Parishioners to the Honourable the Governor, requesting that his Honour would please, upon Consideration of the Matter, to lay the same before the Right Honourable the Lord of this Isle; and his Lordship upon such Representation having been graciously pleased to approve of so good and desirable a Work, and thereupon sufficient Security being given by the Rev. Mr. John Allen, Curate of the said Parish, with Thomas Quine, Thomas Skillicorn, William Kewley, Philip Corrin, Daniel Looney, William Kissack, Philip Kewley, William Kneal, and Thomas Fargher, all Inhabitants of the said Parish, and Captain William Christian, of Jurby, who have undertaken to purchase a Parcel of Land near the middle of the said Parish of Kirk Lonnan for the Use of the Church and Vicarage of the same, and also to go on with and finish upon the Premises a Church of eighteen Yards long and eighteen Foot broad, and a Chancell of the same Dimensions with the old one, as also a Vicarage House and other Buildings, as good at least as the present Edifices upon the Vicarage, as by Bond bearing Date the 9th of Aprill last, and lodged in the Hands of the Right Rev. the Lord Bishop, more at large appeareth : And whereas the said Lord Bishop, of his Charity, and Concern for the promoting so necessary a Work, hath been pleased to give the Sum of tenn Pounds, and Captain Henry Skillicorn, of Bristol, out of a generous Respect to the said Parish, the Place of his Nativity, the sum of twenty Pounds : That therefore the good Intentions of all such as are or shall be Benefactors herein may not be frustrate, but all due Encouragement given to an Undertaking so conducive to the Glory of God, and so beneficial to the good People of that Parish, and all their Posterity :

Dimensions  
of new  
Church.

Donations  
for building.

<sup>1</sup> Spent. See Act for rebuilding Parish of Lonan, 1830.

1. It is hereby enacted by the Right Honourable the Lord of this Isle, and the Governor, Officers, Council, Deemsters, and 24 Keyes of the same, That it shall and may be lawfull to erect and build a new Church and Chancel of the Dimensions aforesaid, as also a decent Vicarage House and other Buildings, on or about a Parcel of Land called Bolliee Veen, at present in the Possession of John Killip, the same being as near as conveniently may be to the Middle of the said Parish; and to that End the Churchwardens, with four sufficient Men of the Parish, Assistants, are within two Months after the Publication hereof to consider and conclude upon a generall Assessment of the Parish, viz. after twenty Shillings  $\frac{1}{4}$  Quarterland and no more, and in Proportion the Intacks and Mills according to their Value as usual, which, with the voluntary Subscriptions of such as already have, or shall contribute towards the Work aforesaid, are to be levied with all convenient Speed, in order to the carrying on and perfecting the same according to the Directions and Appointment of the said Lord Bishop; the Undertakers having free and full Liberty to convert and apply the Timber, some Time since purchased for the Repairs of the Church, with such Materials of the old Church and Chancel, as also of the Vicarage Houses, as shall be found fitt and serviceable for the Uses of the new respectively; of all which Receipts and Disbursements they are to keep a fair Account, to be produced to the Right Reverend the Lord Bishop when required.

2. And the said new Church, with the Church-yard, when finished and consecrated for that Purpose, shall be, and be called, esteemed, and taken as the Parish Church and Church-yard of Kirk Lonnan, and as such to be supplied, served, and made use of, and repaired from Time to Time, and at all Times hereafter, as Occasion shall require; and moreover discharged and exempt from all temporal Rents and Services whatsoever; and the remainder of the Premises to be purchased as aforesaid, chargable with the Whole as usual; reserving nevertheless to all and every the Parishioners of the said Parish of Kirk Lonnan their antient Right and Places of burying their Dead in the old Church or Church-yard, if they, or any of them, shall so think fitt, this Act or any Thing therein contained to the contrary notwithstanding.

At Castle Rushen 11th May, Anno Domini 1733.

Tho. Sodor and Man.  
Cha. Moor.  
Nich. Christian.

Tho. Horton.  
James Horton.  
William Stonier.  
Cha. Stanley.  
Dan. Mylrea.

#### Twenty-four Keyes.

J. Stevenson,  
John Watleworth,  
Jon. Garrett,  
William Murrey,  
Jon. Christian,  
Jon. Taubman,  
Cha. Killey,  
Tho. Heywood,  
Matth. Christian.

William Christian,  
Quayle Curphey,  
Edward Christian,  
Richard Tyldesley,  
Tho. Stevenson,  
William Stevenson,  
Robert Maddrell,  
John Oates.

Knowsley, June 8th, 1733.

I do allow of and give my Consent to the beforegoing Act, and hereby order that the same be published at the Tynwald according to the Forme and Custome of my Isle Man.

DERBY.

At a Tynwald Court holden at St. John Chappel, the 25th Day of June, 1733.

The foregoing Act was this Day proclaimed and published upon the Tynwald Hill in due Forme of Law.

Cha. Moore.  
Nich. Christian.

Tho. Horton.  
James Horton.  
William Stonier.  
Cha. Stanley.  
Dan. Mylrea.

## Twenty-four Keyes.

John Stevenson,  
John Wattleworth,  
John Murrey,  
John Garrett,  
Jon. Christian,  
Jon. Taubman,  
William Murrey,  
Robert Maddrell,  
William Qualtrough,  
Tho. Stevenson,

Quayle Curghey,  
William Stevenson,  
Jon. Christian,  
Matth. Christian,  
Jon. Lace,  
Wm. Christian,  
John Oates,  
John Moore,  
Ch. Killey,  
Edward Christian.

## CHAPTER II.

## INSULA MONÆ.

*At a Tynwald Court holden at St. John's Chappel the 25th Day of June Anno Domini 1733, before the Honourable Thomas Horton, Esquire, Governor, the Officers, Deemsters, and twenty-four Keyes of the said Isle, whose Names are subscribed.<sup>1</sup>*

Copper  
Money  
coined for  
Island.

Whereas upon the Scarcity of Brass Money and Want of Change within this Island, it was the general Request and Desire that our Honourable Lord would be pleased to supply this Defect by coining Brass or Copper Money for the Use of this Island to be current here; and forasmuch as his Lordship hath been graciously pleased to comply with the said Request, and hath sent over three hundred Pounds in Copper Pence, and two hundred Pounds in Copper Halfpence; it is therefore published, proclaimed, and declared, upon the Tynwald Hill,

£300 in Cop-  
per Pence  
and £200  
Copper Half-  
pence de-  
clared to be  
legal tender.

1. That the above-mentioned Sums of three hundred Pounds in Copper Pence, and two hundred Pounds in Halfpence, shall at all Times after this Day be current and passable in Change within this Island (in all Receipts and Payments) for Pence and Halfpence as aforesaid, and that the same will be received at that Value into and paid out of his Lordship's Treasury at the same Value in Receipts for Rents and other Revenues, and in Payment of Sallaries and other necessary Disbursements; and that from henceforth no Person shall be obliged to take any other Brass or Copper Money whatsoever:

Counterfeit-  
ing Copper  
Coin, is  
Treason.

2. And it is this Day also published, proclaimed, and declared, That if any Person or Persons whatsoever shall be found and lawfully convicted of counterfeiting any of the said Pence and Halfpence, bringing into this Isle, uttering, or paying any of the said Pence and Halfpence, knowing them to be counterfeit, such Person or Persons shall forfeit and be punished for the same after such Manner as is declared by an Act made in the Year 1646 concerning the coining and passing false and counterfeit Money, viz. such Person or Persons so offending shall be adjudged and deemed and taken to be in the Case of High Treason, and for the same shall forfeit Life, Lands, Tenements, Goods, Chatties, &c. to the Lord of this Isle and his Heirs, as in Cases of other Treasons they used to do by the Laws of this Land:<sup>2</sup>

On 2d Thurs-  
day in June,  
Captains of  
Parishes to  
inspect Cop-  
per Coin  
annually.

3. And the better to find out whether there be any Counterfeits either made or carried into this Island, it is hereby ordered and declared, That on the second Thursday in June in every Year all and every Person or Persons who have any of the said Copper Pence and Halfpence in their Custody shall bring in the same unto the Captain of their respective Parishes to be counted and reckoned by him, and an Account to be returned by the said Captain unto the Governor, Deputy Governor, or Receiver for the Time being, what Quantity of the said Money is within his Parish; and if any Person or Persons shall fail or neglect to bring in what Pence or Halfpence he hath in his Custody to be so counted and reckoned as aforesaid, such Person or Persons so neglecting shall be fined in twenty Shillings, besides other Punishment, such as his Obstinacy or Neglect shall demerit.

Repeal of  
former Act.

4. And be it hereby further ordered, enacted, and ordained, That the Act made and passed at a Tynwald Court holden at St. John's Chappel the 24th Day of June, 1710, (before the Honourable Robert Mawdesley, Esquire, Governor, the Officers, Deemsters, and twenty-four Keyes of the said Isle), for the Coynage of Copper Pence and Halfpence, be repealed; and the same is by the Authority of this Court abrogated and repealed accordingly.

Cha. Moor.  
Nich. Christian.

Tho. Horton.  
James Horton.  
William Stonier.  
Cha. Stanley.  
Dan. Mylrea.

<sup>1</sup> Manx Copper Currency abolished by Act of 1840.

<sup>2</sup> Repealed by Criminal Code of 1817.

## Twenty-four Keyes.

Jon. Stevenson,  
Jon. Wattleworth,  
Jon. Garret,  
Jon. Murrey,  
Jon. Taubman,  
Tho. Stevenson,  
Rob. Maddrell,  
Cha. Killey,  
William Stevenson,  
Jon. Lace,  
William Qualtrough,

Jon. Christian,  
Quayle Curphy,  
Will. Murrey,  
Will. Christian,  
Jon. Christian,  
Richard Tyldesley,  
Matth. Christian,  
John Moore,  
John Oates,  
Edward Christian.

*Knowsley, 5th June, 1733.*

I do allow of and give my Consent to the within-mentioned Act, and order that the same be published at the Tynwald Hill according to the usual Forme and Custome of my Isle of Mann.

DERBY.

*At a Tynwald Court holden at St. John's Chappel the 25th Day of June, 1733.*

The beforegoing Act was this Day proclaimed and published upon the Tynwald Hill in due Forme of Law.

Ch. Moor.  
Nicho. Christian.

Tho. Horton.  
James Horton.  
William Stonier.  
Cha. Stanley.  
Dan. Mylrea.

## Twenty-four Keyes.

Jon. Stevenson,  
Jon. Wattleworth,  
Quayle Curphey,  
William Stevenson,  
John Murrey,  
John Garrett,  
Jon. Christian,  
Jon. Taubman,  
William Murrey,  
Rob. Maddrell,

William Qualtrough,  
Tho. Stevenson,  
Jon. Christian,  
William Christian,  
Matth. Christian,  
John Lace,  
John Moore,  
John Oates,  
Charles Killey.

An Act for the repairing and amending the Sea-Ports and Harbours of this Isle.<sup>1</sup>

*Passed at a Tynwald Court holden at St. John's Chappel before the Honourable Thomas Horton, Esquire, Governor, the Council, Deemsters, and Keyes of the said Isle, the 16th Day of July, Anno Domini 1734.*

Whereas the several Sea-ports and Harbours of this Isle are at present not only incomodious for the Egress and Regress of Shiping, but also very unsafe for their lying, some for want of proper Means being heretofore used to keep them open and free from Drifts of Sand, Shilly, and other Rubbish, and others by dangerous Rocks, and other Impediments rendering them vastly hazardous, by which Means Ships and Merchandizes are frequently damaged and oftentimes lost, to the great Prejudice of the Publick; For Remedy whereof, it is held most expedient to impose certain Rates and Dutys upon all Ships and Merchandizes coming and going to and from this Isle, for the Amendment and Safe-making of the said Ports and Harbours, for their better and more effectuell Security, be it therefore declared, ordained, and enacted, by the Right Hon. James Earl of Derby, Lord of Mann and the Isles, by and with the Advise and Consent of the said Governor, Council, Deemster, and Keys, in this present Tynwald Court assembled, and by the Authority of the same,

Harbour  
Dues charged  
on Shipping.

<sup>1</sup> Amended by Act of 1740. Continued for 21 years by Act of 1753, and repealed by Act of Parliament 11 Geo. III. c. 52.



Duty payable  
for 21 years  
from 29th  
September,  
1734.

Foreign  
Goods  
chargeable.

£5 per Cent.  
ad valorem.

Vessels com-  
ing from  
Foreign  
Parts, ex-  
cepting  
Great Britain  
and Ireland.

Vessels going  
Coastways  
to pay in pro-  
portion for  
what is dis-  
charged at  
each Port.

Duties to be  
collected by  
Searcher.

Supervisor to  
be chosen  
annually by  
Governor,  
Council,  
Deemsters,  
&c.

1. That the several Ports and Harbours of the said Isle, viz. Peele, Ramsey, Douglas, Castletown, and Derbyhaven, shall, with all convenient and possible Speed, be cleaned, repaired, amended, and made fit and commodious not only for the coming in and going out, but likewise for the safe and secure lying of all Ships and Vessels, Barks and Boats, who by Stress of Weather, contrary Winds, or otherwise howsoever, shall have Occasion to make use or frequent the said Harbours, or any of them; for the doing and perfecting whereof, and to raise a sufficient Fund for so necessary a Work, be it ordained and enacted by the Authority aforesaid, That all Merchants, Traders, and Masters of Ships, Vessels, or Boats, shall from and after the twenty-ninth Day of September next after the Date hereof, for and during the full Time and Term of twenty-one Years thence next ensuing the same, be, and they are hereby obliged to pay unto such Person or Persons as shall hereinafter be appointed to levy and receive the same in the several Ports beforementioned, such Rates, Dutys, and Tonnage, for and out of their Shippes, Vessells, and Boats, Goods and Merchandizes, by them, and every of them, imported and exported, as are hereafter mentioned and respectively made chargeable upon them, viz. for and out of Brandys, and all other Spirits imported, one Shilling British Value  $\forall$  Tonn, except Arrack, which is to pay one Penny British  $\forall$  Gallon; all Wines, of Kind soever, to pay Sixpence British  $\forall$  Tonn, Vinegar Twopence British  $\forall$  Tonn, Tobacco Sixpence British  $\forall$  Hogshead, or if manufactured, after the Rate of one Penny British  $\forall$  Hundred Weight; and for Coffee, Teas, India Goods, Silk Handkerchiefs, and all other foreign Goods, of what Kind or Denomination soever, to pay for the Value of every twenty Pounds British the Sum of one Shilling British, and so proportionable for Quantities of lesser Value, and such Valuation to be at all Times regulated according to the Entries made of such Goods and Merchandizes, and the Duties thereon paid to the Lord of the said Isle; to which End the Collector of the Customes shall specify the same in every Entry by him made and taken out, to the Deputy Searchers, for better and more speedy Direction in the Premises.

2. And likewise that all Ships arriving from foreign Parts, (Great Britain and Ireland excepted), which shall discharge their Cargoes in any Bay, Port, Harbour, or Creek of this Isle, shall be charged with and pay Tunnage after the Rate of twopence British for every Tunn they shall discharge, and one Penny British for every Ton they shall be computed by the Deputy Searchers to contain over and above what they shall do or discharge.

3. Provided, that if any such Ships or Vesels discharge Part of their Cargo or Cargoes in one Port, and then should proceed Coastways to discharge the rest at any other Port or Ports of this Isle, they shall be obliged to pay Duty and Tunnage at their first Port only for what Goods are landed there, and take Certificate thereof from the Deputy Searcher of that Port, and thereon give Security to pay the Remainder at their next Port, where they are to produce the said Certificate, and so on in that Manner from Port to Port afterwards as they shall have Occasion to discharge their said Cargoes, any Thing contained to the contrary notwithstanding.

4. And all Ships, Vessells, or Boats, arriving from Great Britain or Ireland, coming into any Harbour or Creek of this Isle, (Ships and Boats commissioned or employed by the Governments of Great Britain or Ireland, or by the Lord of this Isle, excepted), whether they be laden or otherwise, shall pay one Penny British  $\forall$  Ton; but Ships that stop in the Bays to discharge Goods and Merchandizes from Great Britain or Ireland shall only pay the Rates and Duties on the Goods they shall discharge in Manner before directed by this Act.

5. And that all Vessells or Boats that carry off any Goods or Merchandizes exceeding four Tunns shall pay for every Tunn Sixpence British; and all Vessells and Boates that carry off Goods or Merchandizes under the Quantity of four Tunns, and above the Value of four Pounds, shall pay the Sum of two Shillings British for every such Vessel or Boat.

6. And to the End that the said Rates, Dutys, and Tunnage, may be duly collected, the Deputy Searchers of and belonging to the respective Ports aforesaid shall be and are the Persons nominated and appointed to be employed therein, with full Power to levy and to collect and receive all and every the said Rates, Duties, and Tunnage to be raised and payable by this Act from Time to Time as the same shall accrew; and for their Pains and Trouble therein, are to be allowed one Shilling for every twenty Shillings which they shall so collect.

7. And for the more effectual Execution of this Act, be it further enacted by the Authority aforesaid, That there shall be Supervisors chosen by the Governor, Council, Deemsters, and Keyes, at the Tynwald Court in every Year, for the respective Ports before-mentioned; and such Supervisors so elected and appointed shall, and are hereby authorised and impowered to undertake, direct, and carry on proper Works for the Improvement of every of their said Ports and Harbours as they shall think most necessary and convenient to answer the Intendment of this Act; and for that purpose shall take and receive their general Instructions and Directions from the said Governor, Council, Deemsters, and Keyes, yearly on their Election at the said Court of Tynwald.

8. And in order thereto the said Deputy Searchers shall be, and are hereby obliged to render a true and faithfull Account in Writing as often as they shall be called upon, to them the said Supervisors in each Port, and thereupon to pay them all such Sum and Sums of Money as they shall from Time to Time collect and receive as aforesaid, (their own Allowance by this Act excepted), to be by them the said Supervisors applied to and disbursed for the Charge and Expence of the said Works so to be carried on in their respective Ports and Harbours as aforementioned;

Account in  
Writing to  
be rendered.

9. And in like Manner the said Supervisors shall lay a true State of their Accounts and Proceedings in the Premises, and of all the Money by them received and expended for or on Account of the said Ports and Harbours, and all incident Charges attending the same, before the Governor, Council, Deemsters, and Keyes, for their Examination and Allowance at the Tynwald Court held at Midsummer in every Year, who, to prevent any Misapplication thereof, may for their better Information convey any Person or Persons before them to be examined upon Oath; and if any contemn or refuse, to fine every of them in twenty Shillings, to be applied to the Repair of the said Harbours.

10. And be it further enacted and provided, That for the more speedy performing and accomplishing of such beneficial Works as aforesaid, the said Supervisors in each respective Port are further authorized and impowered, under the Direction of the said Governor, Council, Deemsters, and Keyes, to borrow any Sum or Sums of Money on their own Bonds or other Securities, as shall be necessary to carry on the Improvement and Amendment of the several Harbours and Ports aforesaid, and again to repay the same with five Pounds  $\frac{1}{2}$  Cent.  $\frac{1}{2}$  Ann. Interest out of the said Funds to be raised by this Act, which shall be a good and sufficient Assurance and Indemnification for the same to them, their Heirs, Executors, Administrators, or Assignes, always rendering an Account thereof in Manner aforementioned.

Power to  
borrow  
Money for  
improvement  
of Harbours.

11. And if any Person or Persons whatsoever shall neglect or refuse to pay the Rates, Dutys, and Tunnage, laid and payable by this Act to the respective Deputy Searchers as aforesaid, such Person or Persons shall have his or their Ship and Goods detained and secured, and the necessary Assistance from the Constables of Garrisons, or Commanders of Forts, had therein as usual in the Case of the Collection of the Customes, Anchorages, or other such like Dues accrewing to the Lord of this Isle; and, if further Occasion be, so much of his or their Effects to be exposed to Sale by the said Searchers as will answer Payment thereof.

Vessels to be  
detained if  
Dues not  
paid.

12. And be it further enacted by the Authority aforesaid, That the Money which shall be collected in every Port or Harbour shall be applied to the Repair and Amendment of that same Port and Harbour for and during the Term of seven Years next after the Commencement of this Act; and on the Expiration of that Term, and afterwards during the Continuance of this Act, if any Surplusage there be in the Hands of the Supervisors of any Port or Harbour, not necessary in the Opinion of the Governor, Council, Deemsters and Keys, to be further expended on that Harbour, the same at their Discretion to be converted to the Improvement of any other Harbour or Harbours, Port or Ports, wanting to be repaired and amended, still subject to be accounted for in Manner aforesaid.

Money col-  
lected in each  
Port to be  
applied to  
Repair of  
Harbour of  
that Port for  
7 years.

13. And it is further enacted, That if any Person shall find himself aggrieved by any male Proceedings or Practices of the said Deputy, Searchers, or Supervisors, such Person or Persons to be relieved on a Petition to the Governor in Chancery.

Petition to  
Chancery in  
case of  
Grievance.

14. And in respect of the Pains and Trouble of the said Supervisors, and for their Encouragement in the Discharge of their Duty, they shall be exempt from passing on Jurys, or doing any other servile Dutys or Offices during the Time of their Supervisorships, and if any Person or Persons shall refuse to act in that employ, upon his or their being elected as aforesaid, he or they so offending shall pay the Sum of five Pounds for each Default, to be applied to the repair of the Harbour for which he was so nominated.

£5 Fine for  
refusing to  
act.

15. And be it further enacted by the Authority aforesaid, (by and with the gracious Permission and Condescension of his Lordship), That the Anchorages arising and usually collected in the several Ports and Harbours of the said Isle shall, during the Continuance of this Act, be applied to the Amendment and Repair of the said Ports and Harbours, and the same yearly paid to the Supervisors appointed as aforesaid;

Anchorage  
Duty to be  
applied to  
Harbours.

16. Provided always, and it is further ordained and enacted, that this Act shall not be construed, deemed, or understood to charge or lay any Rates or Dutys upon Timber, Coals, Salt, Iron, Hopps, Bricks, Soap, Corn, Meal, or any Sort of Groceries imported from Great Britain or Ireland for the Use or necessary Consumption of this Island, nor upon the Exportation of the Growth, Product, or Manufactures of this Isle whatsoever, any Thing herein contained to the contrary notwithstanding.

Cha. Moore.

Tho. Horton.  
James Horton.  
William Stonier.  
Cha. Stanley.  
Dan. Mylrea.

**The Keyes.**

John Wattleworth,  
John Garrett,  
John Oates,  
John Christian,  
William Stevenson,  
Rob. Maddrell,  
John Lace,  
William Qualtrough,  
John Moor,  
John Murrey,

Tho. Heywood,  
William Murrey,  
Will. Christian,  
Cha. Killey,  
Tho. Stevenson,  
Jon. Christian,  
Matth. Christian,  
Quayle Curphey,  
Jon. Taubman.

I do allow of and confirm the above Act according to my Prerogative within my Isle of Mann, and do order that the said Act be published on the Tynwald Hill according to antient Forme and Custome of the said Isle.

DERBY.

*At a Tynwald Court holden at St. John's Chappell this 26th September, 1734.*

The beforegoing Act was this Day publickly proclaimed upon the Tynwald Hill according to the antient Forme and Custome of this Isle; as witness our Subscriptions the Day and Year above written,

Cha. Moor.

James Horton.  
William Stonier.  
Cha. Stanley.  
Dan. Mylrea.

**The Keyes.**

Jon. Stevenson,  
John Wattleworth,  
Rob. Maddrell,  
Phil. Moore,  
Jon. Taubman,  
Tho. Stevenson,  
Jon. Garrett,  
Jon. Christian,  
Jon. Oates,

Cha. Killey,  
Will. Christian,  
Matth. Christian,  
John Lace,  
William Qualtrough,  
John Moore,  
William Murrey,  
Quayle Curphey,  
Edward Christian.

**An Act to suppress Petty Ale-houses and Tippling-houses within this Isle.<sup>1</sup>**

*Passed at a Tynwald Court holden at St. John's Chappell the 16th Day of July, Anno Domini 1784, before the Honourable Thomas Horton, Esquire, Governor, the Council, Deemsters, and Keyes of the said Isle.*

**Preamble.**

Whereas the great Number of petty Ale-houses and Tippling-houses kept in the several Towns and Parishes of this Isle, are not only obnoxious to all sober discreet Persons, but likewise destructive of the publick Good, as being the common Receipts of Felons, and other idle profligate Persons, as well as of Servants and Children, (generally at unseasonable Times), who but too often are tempted and misled by evil Examples to purloine their Master's and Parent's Goods to supply them in their extravagant and enormous Courses: And moreover it is observed, that the great Consumption in those Sort of Houses often occasions a Scarcity of Corn and other Provisions, necessitating the Island to supply itself from Abroad, whilst these wastefully destroy what should not only save, but also bring in Money and other Necessarys which the Comonalty cannot possibly want, though at the same Time such Houses are so far from being in a Condition to perform the Tenor of their Lycences, that they are in no sort fit to entertain Travellers or Strangers in any decent Manner: For Remedy of which Inconveniences, and the Reduction of such needless and unprofitable Number of Ale-houses and Tippling-houses, be it ordained and enacted by the Right Honourable James Earle of Derby, Lord of Man and the Isles, by and with the Advise and Consent of the

<sup>1</sup> Amended by Acts of 1740, 1753 (Chap. 5), and 1776. Repealed by temporary Act of 1819, continued by Acts of 1824 and 1827. Repealed by Highway Act of 1830.

Governor, Councel, Deemster, and Keyes of the said Isle, in this present Court of Tynwald assembled, and by the Authority of the same, .

1. That no Person or Persons whatsoever shall hereafter retails Beere, Ale, Wine, or other Liquors, without a Lycence from the Governor of this Isle first had and obtained for the same, under the Penalty of three Pounds for every Default, Half to the Lord of the Isle, and the other Half to the Informer; and that no Person or Persons shall be lycenced to sell or retails Beer, Ale, Wine, or other Liquors, save only a certain competent Number of substantiall Ale-house-keepers in every Town and Parish, which, for the Governor's better Information of the Abillity and Circumstances of the People, the Situation of their Houses, and other necessary Conveniences, are to be yearly reported to him by the Minister and Captain of every Parish, the Coroner of the Sheading, and four of the Great Enquest in each Parish, who are most fitting and best qualified for that Purpose;

2. And such Returns to be made to the Governor at the respective Sheading Courts annually holden after Michaelmas, that such as shall be sufficient and able to perform the Tenor of their Lycences may be allowed, provided the Number doth not exceed two hundred in the whole Island, who, upon obtaining their Lycences respectively, shall enter into a Recognizance duly to perform the Tenor of the same as formerly accustomed.

3. And it is further enacted, That for the future there shall be two Shillings and Sixpence yearly paid for every such Lycence and Recognizance, commencing from Michaelmas next, viz. Fourteenpence to the Governor's Clerk, Sevenpence to the Comptroller, and the remaining Ninepence to be paid to the Keys for Reparation of their House, and to find other Necessarys at the Times of their Meetings, any Law, Custome, or Practice to the contrary of this Act in any wise notwithstanding.

Penalty for  
retailing Ale  
without  
Licence.

Minister,  
Captain,  
Coroner, and  
Great En-  
quest to  
report fit  
Persons.

Number  
limited to 200  
for whole  
Island.

Tho. Horton.  
James Horton.  
William Stonier.  
Cha. Stanley.  
Dan. Mylrea.

Ch. Moor.

The Keyes.

Jon. Stevenson,  
Jon. Murrey,  
Tho. Heywood,  
Tho. Stevenson,  
William Christian,  
John Lace,  
John Christian,  
Matth. Christian,  
John Christian,

John Oates,  
Edward Christian,  
Cha. Killey,  
William Murrey,  
Jon. Wattleworth,  
Jon. Garrett,  
Rob. Maddrell,  
Jon. Taubman.

I do allow of and confirm the above Act according to my Prerogative within my Isle of Mann, and do order that the said Act be published on the Tynwald Hill according to antient Forme and Custome of the said Isle.

DERBY.

*At a Tynwald Court holden at St. John's Chappel the 26th September, 1734.*

The foregoing Act was this Day publickly proclaimed upon the Tynwald Hill according to the antient Forme and Custome of this Isle; as witness our Hands the Day and Year above written,

Cha. Moor.

James Horton.  
William Stonier.  
Cha. Stanley.  
Dan. Mylrea.

The Keyes.

John Wattleworth,  
Rob. Maddrell,  
Phi. Moore,  
Tho. Stevenson,  
Jon. Taubman,  
Jon. Christian,  
Matth. Christian,  
Cha. Killey,  
William Christian,

John Oates,  
William Qualtrough,  
Richard Tyldesley,  
John Lace,  
John Garrett,  
William Murrey,  
Quayle Curphey,  
Edward Christian.

An Act for the Encouragement of any Rector or Vicar to build or repair a convenient Dwelling-house and Out-houses on any Church Glebe within this Isle,

*Passed at a Tynwald Court holden at St. John's Chappel the 16th Day of July, Anno Domini 1734, before the Hon. Thomas Horton, Esquire, Governor, the Council, Deemster, and Keyes of the said Isle.*

Recital of  
Non-Resi-  
dence Act.

Whereas by an Act, intituled "An Act against Non-Residence," made in the Year of our Lord one thousand six hundred and ninety-six, the Clergy of this Isle are obliged to inhabit and personally reside within the Isle in and upon their respective Ecclesiastical Livings, Promotions, and Benefices, under certain Restrictions and Forfeitures in the said Act mentioned; and forasmuch as they have been and still are attended with many Difficultys and Inconveniencys in the due Observance of the said Statute, in respect severall of the Vicarages and one of the Rectorys now and for some Ages past have not had Houses upon them for the Residence of the Incumbents, and some others being in a ruinous Condition for want of proper Means and Encouragement to keep them in Repair, be it therefore ordained and enacted by the Right Honourable James Earl of Derby, Lord of the said Isle, by and with the Advice and Consent of the said Governor, Council, Deemsters, and Keys, in this present Court of Tynwald assembled, and by the Authority of the same,

Rector or  
Vicar build-  
ing Houso on  
Glebe Land  
to receive  
Two-Thirds  
of Expendi-  
ture from  
Successor.

1. That any Rector or Vicar who shall hereafter erect or build or make any Addition to, or repair any Dwelling-house or Out-house upon any Church Glebe within this Isle, to be fit, convenient, and durable for himself and Successors, such Rector or Vicar, or his Executors or Administrators, shall be entitled by this Act to have and receive from his next and immediate Successor, or his Executors or Administrators, two-third Parts of whatever Sum or Sums of Money shall really and truly be expended by him upon such Buildings and Improvements, (necessary yearly Reparations excepted) provided he give a just and fair Account of the Money so laid out and disbursed by him, upon Oath, to a Jury of four sufficient Men, to be appointed by Process from the Bishop or Archdeacon, and sworn upon the Premises for that Purpose; and their Return upon the same, with the Bill of Disbursements so given upon Oath, to be registered for the Satisfaction of all Persons concerned.<sup>1</sup>

Successor to  
receive One-  
Third of  
original Ex-  
penditure  
from next  
Incumbent.

2. And be it further enacted by the Authority aforesaid, That such Successor, or his Executors, so paying the two-thirds of the Money disbursed and expended as aforementioned, shall be entitled to receive one Moiety thereof (*viz.* one-third of the first Disbursement) from his next Successor, or his Executors or Administrators, who shall also be obliged to pay the same within one Year, to be accounted from Easter, after the Death or Removal of such Predecessor; and the said several Sum and Sums of Money shall be recoverable by due Course of Law in the Ecclesiastical Courts of this Isle, and a Moiety of the Rents and Profits of the Benefice to be laid under Sequestration so as to be responsible for the same:<sup>1</sup>

Dilapidations to be  
made good.

3. And to prevent Delapidations, if any Person shall afterwards suffer such Buildings to go to Decay for want of necessary Repairs, he shall be accountable for the same to his Successor, and lyable to make Satisfaction at the Estimation of four sworn Men, to be appointed in Manner aforesaid, and the same to be laid out in the Repairs of the said Buildings according to the Intendment of this Act.<sup>1</sup>

Rector or  
Vicar ac-  
countable for  
books.

4. And whereas several well-disposed Persons have given a Number of usefull and practicall Books to the severall Parishes of this Isle, in order to preserve the same from Embezzellment, and that all future Benefactors may be satisfied that their pious Intent shall not be frustrate, be it further enacted by the Authority aforesaid, That every Rector, Vicar, or Curate, or their Executors or Adminis-

<sup>1</sup> Repealed by the Ecclesiastical Residences and Dilapidations Act, 1879.

trators, shall be accountable for such Books as are already remaining, or shall hereafter be given, or the full Value of the same :

5. And every Rector, Vicar, or Curate shall, immediately after his Induction or Lycence, make a new Catalogue of all the Books belonging to their respective Churches, and shall deliver the same to the Episcopal Register, to the End that the said Books may be accounted for and made good according to the Purport of this Act. Catalogue to be delivered to Episcopal Register.

6. And be it further enacted by the Authority aforesaid, That the Payment of the Corbes due to the Clergy of this Isle from their Predecessors shall for the future cease, and that the present Clergy who received any Corbes shall, within six Months after the Promulgation of this Act, give a true Account of the Corbes so received by them, or the Value of the same, to be applied towards the Repair of the respective Church Houses before mentioned, any Law, Custome, or Usage to the contrary notwithstanding.<sup>1</sup> Corbes.

Tho. Sodor and Man.  
Cha. Moor.  
John Kippax.

Tho. Horton.  
James Horton.  
William Stonier.  
Cha. Stanley.  
Dan. Mylrea.

#### The Keyes.

|                 |                    |
|-----------------|--------------------|
| Jon. Stevenson, | William Christian, |
| John Murrey,    | Jon. Wattleworth,  |
| Jon. Garrett,   | John Christian,    |
| Rob. Maddrell,  | John Oates,        |
| Tho. Stevenson, | Edward Christian,  |
| Tho. Heywood,   | Cha. Killey,       |
| John Christian, | William Murrey,    |
| John Lace,      | Jon. Taubman.      |

I do allow of and confirm the above Act according to my Prerogative within my Isle of Mann, and do order that the said Act be published on the Tynwald Hill according to antient Forme and Custome of the said Isle.

DERBY.

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At a Tynwald Court holden at St. John Chappel, the 26th September, 1734.

The beforegoing Act was this Day publickly proclaimed upon the Tynwald Hill according to the antient Forme and Custome of this Isle; as witness our Subscriptions the Day and Year above written,

¹ Repealed by the Ecclesiastical Residences and Dilapidations Act, 1879.

Cha. Moor.

James Horton.
William Stonier.
Cha. Stanley.
Dan. Mylrea.

The Keyes.

Jon. Stevenson,	Phi. Moore,
Jon. Wattleworth,	Rob. Maddrell,
Tho. Stevenson,	Matth. Christian,
Jon. Taubman,	William Qualtrough,
Jon. Garrett,	John Lace,
John Christian,	William Murrey,
Jon. Oates,	Quayle Curphey,
Cha. Killey,	Edward Christian.
William Christian,	

INSULA MONÆ.

A Table of Fees for the Comptroller's Office, &c.¹

	s.	d.
For entering every Acton in Chancery, and a Copy thereof containing one Side of an Half Sheet of Paper	0	6
But if it exceeds the common Length of Actons, then to be paid for every twenty-four Words an Halfpenny.		
For a Copy of every Decree in Chancery with the Acton	1	0
But if exceeds one Side, then to be paid for every twenty-four Words an Halfpenny as above.		
For making every Entry at the Sheading Courts, and every Entry of a new Rent	0	2
For a Copy of every Entry	0	3
For a Presentment against every single Person	0	3
And if there be more, then to pay	0	6
For every Affidavit taken in Writing in Court	0	6
For every Rule of Continuance on Actons in Chancery	0	6
For recording all Deeds of Mortgages, Sales, Contracts of Marriage, and other Conveyances	0	6
And to number them, and keep a Book containing the Partys Names and the Number, whereby they may be more readyly found, to which the People are to have Recourse free for that Purpose.		
And all Judgments, Verdicts, and Petitions, to be recorded free, Setting Quest's Returns excepted; and a Copy of any Jury or Enquest's Verdict to be given when demanded without the Depositions, but no Copy of any particular Deposition without the whole.		
For the Court's Confirmation of all Deeds, payable to the Officers as formerly	1	0
For recording every Setting Quest's Division, and a Copy if the Party desire it	0	3
For entering of a choice Child	0	6
For Search of every tenn Years Rolls, Bundles, or Books, whereof the Comptroller to give a Certificate if desired	0	6
But if the Record wanted be found in the first or second Book, to pay nothing for Search, otherwise the 6d. to be paid.		
For entering a Claim for Lands, Houses, &c.	0	6
And for a Copy thereof	0	6
For cancelling and drawing a Discharge on every Deed of Mortgage	0	6
For a Copy of every short Statute	0	3
And every other Act or Statute to be paid for every twenty-four Words an Halfpenny as before.		

¹ These fees are for the Rolls Office. New Table of Fees for Rolls Office and Clerk of the Rolls in Act 1813, Chap. 2.

	<i>s.</i>	<i>d.</i>
For every Ale-house Recognizance, according to the Act made in that Behalf	0	7
For sealing every Weight or Measure	0	1
For every Recognizance of the Peace	0	6
For administering the Oath to every Officer, Spirituall or Temporal, and also to every Soldier, and enrolling the Com ^{ms} or Warrant	2	6
For a Copy of an Accon at Common Law	0	3
For entering a Traverse	0	6
And for every other Copy of Record not herein-before expressed and mentioned, to pay for every twenty-four Words an Halfpenny as before.		

Soldiers' Fees.²

That no Fee be received for taking any Person from the Court to the Guard or Prison, except the Porter's Fee - 0 4

To every Soldier for bringing any Person (Moars excepted), before the Governor, Courts, or Deemster, if the Person be within three Parishes of the Court or Majistrate, *one Shilling* - 1 0

And Fourpence for every Parish they go throw afterwards. If a Defendant to an Action of Arrest do not give Bail on serving the Accon, and refuseth to go with the Searcher to Prison, so as to oblige him to call for Assistance, then such Defendant to pay the Soldier's Fee that comes to assist for confining him in the next Garrison; but if he goes quietly with the Searcher to Prison, then to pay only the Searcher's Fee - 0 6

It is ordained and enacted by the Right Hon. the Lord of this Isle, the Governor, Officers, Deemsters, and twenty-four Keyes, That the foregoing Table of Fees shall be the standing Fees and Perquisites of and belonging to the Comptroller's Office within the said Isle, and also the Fees above-mentioned to be the standing Soldiers' Fees in the Manner they are now stated, and before set down.

At Castle Rushen this 16th of July, Anno Domini 1734.

Cha. Moore.
Nich. Christian.

Tho. Horton.
James Horton.
William Stonier.
Cha. Stanley.
Dan. Mylrea.

Twenty-four Keyes.

John Lace,	Matth. Christian,
John Wattleworth,	Tho. Heywood,
John Garrett,	William Murrey,
John Oates,	Will. Christian,
John Christian,	Cha. Killey,
William Stevenson,	Tho. Stevenson,
Rob. Maddrell,	Jon. Christian,
William Qualtrough,	Quayle Curphey,
John Moor,	Jon. Taubman,
John Murrey,	Phi. Moore,
Edward Christian,	Richard Tyldesley.
Jon. Stevenson,	

I do allow of and confirm the above Act according to my Prerogative within my Isle of Mann, and do order that the said Act be published on the Tynwald Hill according to the antient Forme and Custome of the said Isle.

DERBY.

At a Tynwald Court holden at St. John's Chappell the 22d April, 1735.

This Act or Table of Fees being confirmed by our Right Honourable Lord, hath this Day been publicly proclaimed upon the Tynwald Hill according to the antient Forme and Custome within this Island.

Cha. Moore.
Dan. Mylrea.

Tho. Horton.
William Stonier.
Cha. Stanley.
William Christian.

² Prior to the Revestment in 1765 soldiers performed, when required, civil Duties now performed by Constables. On the disbanding of the Insular Forces after the Revestment Constables were appointed to perform such civil Duties. New Tables of Fees for Constables in Act of 1813, Chap. 2.

The Keyes.

Jon. Stevenson,
Jon. Wattleworth,
Tho. Heywood,
Phil. Moore,
Jon. Taubman,
Tho. Stevenson,
John Christian,
Jon. Christian,
Jon. Oates,

Will. Stevenson,
Rich^d Tildealey,
Matth. Christian,
John Lace,
William Qualtrough,
John Moore,
William Murrey,
Quayle Curphey,
Edward Christian.

 INSULA MONÆ.

At a Court holden in Castle Rushen the 11th Day of August, Anno Domini 1736, before the Honourable James Murray, Esquire, Governor of the said Isle, the Council, Deemsters, and twenty-four Keyes of the said Isle, now assembled.

Obsolete
Laws to be
abrogated.

Whereas upon the Application of the twenty-four Keyes, the Most Noble and Puissant Prince James Duke of Atholl, Lord of Mann and the Isles, out of his tender Regard to the Happiness of his People of the said Isle, and in order to their better Government, hath been graciously pleased to condescend not only to the Revisal of severall of the old Laws and Customes of the said Isle, and the abrogateing of such as are obsolete and hurtfull, but likewise to the making of such new Laws as should be thought necessary and agreed upon for the Preservation of their Libertys and Propertys, and the establishing of the same upon a firm and lasting Foundation, conformable to the Necessitys of their Circumstances, to the publick Good, and to the present State of Affairs in general, in the said Island ; and whereas the Governour, Officers, Deemsters, and Keys of the said Island, having accordingly assembled, and on Consultation agreed that the several Acts and Ordinances hereafter mentioned (as being at present thought to be the most necessary) be now immediately passed into Laws, hoping the same will greatly contribute to the Advancement of his Grace's Honour and Interest within the said Isle, and perpetuate the Peace, Welfare, and Tranquillity of the People ; may it therefore please his Grace, That it be enacted, and be it ordered, ordained, and enacted, by the said Most Noble James Duke of Atholl, Lord of the said Isle, by and with the Advice and Consent of the said Governour, Council, Deemsters, and Keys, in this present Court assembled, and by the Authority of the same, as follows :—

I. First, Whereas it is found that Jurys impannelled on Tryals of Fellonys, and other capital Crimes touching Life and Death, are sometimes so favourable, and other Times so obstinate and wilfull in their Proceedings, and especially with respect to the Point of Proofs, that they will not find Malefactors Guilty, unless the Fact be proved against them by two positive Evidences, which can seldom happen in such Cases, and by that Means many notorious Delinquents have escaped Conviction, and they and others following their Example still continue to go on in their wicked Courses, to the great Prejudice of the Publick : For Remedy whereof, it is ordained, declared, and enacted by the Authority aforesaid,

Two Witnesses necessary in Case of Felony under old Law.

(1.) That for the future one credible Witness proving the Fact, and supported by probable Circumstances, or the Mainor being upon Search or otherwise found with or upon the Malefactor or Malefactors, and proved as aforesaid, shall be held good and sufficient Proofs in Law to convict such Malefactor or Malefactors, any Law, Custome, or Practice to the contrary notwithstanding :

One credible Witness to be sufficient.

(2.) And in case any Doubt shall at any Time arise to the Jury in relation to any Evidences or Circumstances before them, they shall ask the Opinion of the Deemsters in Court, whether the same amount to Conviction, or whether the Criminal deserves only lesser Degrees of Punishment, as burning in the Hand, or whipping in as many of the Markett Towns of the Isle as the Crime shall demerit.

In case of doubt Jury to ask Opinion of the Court as to measure of Punishment.

(3.) And it is ordained and enacted, That it shall hereafter be lawfull for the said Jury, (as such Matters shall appear to them) to find and return their Verdict in the Premises accordingly ; provided, that if such Jurys be found to act partially, illegally, or contrary to Evidence, the Keys to be called to pass upon their Proceedings in Manner formerly accustomed.

Jury acting illegally or partially to be judged by Keys.

(4.) And be it further enacted, That if any Prosecutor or Prosecutors in any criminal Prosecution, or any other Person or Persons by his or their Privy, Order, or Direction, shall and do at any Time or Times hereafter compound or agree not to proceed in such Prosecution after an Handsuit given to the Coroner or Lockman, or after stolen Goods are found upon Search pursuant to the Deemsters Token ; or by Corruption, or other indirect Means, shall refuse or decline making Proofs to the Mainor or stolen Goods when found upon Search as aforesaid, such Person or Persons being duly convicted thereof by a Jury, shall be fined in any Sum not exceeding six Pounds thirteen Shillings and Fourpence to the Lord of this Isle, any Custome or Practice to the contrary notwithstanding.¹

Compounding Felony punished by Fine.

II. Secondly, And be it further declared, ordained, and enacted by the Authority aforesaid, That no Court, Judge, or Magistrate within this Isle whatsoever shall have Power

No Punishment in Criminal Case but on Verdict of Jury.

¹ Repealed by Criminal Code of 1817.

And on
Affidavit first
made.

or Authority for the future to impose or inflict any Fines or Punishments upon any Person or Persons within the said Isle, for or on Account of any criminal Cause whatsoever, untill he, she, or they be first convicted by the Verdict or Presentment of four, six, or more Men, as the Case shall require, upon some Statute Law in force in the said Island, nor to imprison any Person or Persons arbitrarily before a proper Complaint is made and lodged, and Affidavit made to the Truth thereof;¹

(1.) Provided, that this Statute shall not be construed or understood to hinder any Person finding himself aggrieved from the Benefit of Traversing as accustomed.

In case of
Riot, Go-
vernor, Of-
ficers, Deem-
sters, &c. &c.
may commit
until Bail
given.

(2.) And that upon flagrant Breaches of the Peace, open Riots and Disturbances, or other notorious Misdemeanors, it shall be lawfull for the Governor, or any of the Officers or Deemsters, or, if Occasion shall require, for the Constables of Garrisons, or Commanders of Forts, in their respective Towns, to comitt the Offender or Offenders who shall be held to Bail by Order from the Governor, to answer and stand Tryal at such Time as shall be appointed for the same; but such Examinations and Tryals not to be delayed, but brought on with all possible Speed:

In case of
Murder Bail
not to be
taken.

(3.) Provided nevertheless, that in Cases of Murder being committed, or any mortal, violent, or desperate Strok or Wound given, whereby any Person's Life is in imediate Danger, the Offender or Offenders not to be admitted to Bail, but to remain in Gaole to undergo his or their Tryal according to the due Course of Law.

(4.) And it is further provided and enacted, That the discretionary Power and Authority of the Governour and Officers in granting Aid for the apprehending and securing of Delinquents, or Persons suspected or accused of Felony, or other capital Crimes, till they pass Examination and Tryal, shall continue as heretofore accustomed:

Battery Sta-
tute not
repealed.

Courts to
retain Power
of commit-
ting for Con-
tempt.

(5.) Provided also, that this Act, nor any Thing therein contained, shall be construed or taken to restrain or prohibitt the Governour or Deemsters from proceeding upon the Statute touching Battery and Provocations without Jurys as formerly.² And that Courts of Justice and Magistrates doing the Duty of their Offices shall have and continue the Power of committing and fining any Person or Persons for contemptuous Behaviour, insulting or abuseing them, or any of them, in the Execution of their Duty, according as the Nature of the Offence shall demeritt.

¹ Treasons and Felonies at Common Law excepted from this Enactment by Criminal Code of 1817.

Repealed by Justices Act of 1836.

III. Thirdly, For the better enabling of the People of the said Isle to pay the Lord's Rents, Fines, and other Dues, and support the Necessitys of themselves and their Familys, be it ordained and enacted by the Authority aforesaid, That all Fairs and Marketts within the said Isle whatsoever, whether held by Custome, or by particular Order, Call, or Publication, shall for the future be free and open to all Buyers and Sellers, whether Strangers or Natives, to barter, buy, sell, and export all Manner of Goods and Comoditys, as well of the Growth, Product, and Manufacture of this Isle, as of any other Kingdome, Island, or Country, without Lett, Stop, or Mollestation: And upon Application of any Stranger or Native, the Governour of this Isle to grant his Lycence for calling Marketts at such Time and Place as the Persons so applying shall desire and think most proper for makeing their Marketts: But such Marketts nevertheless to be free for all others, as well as the Person lycensed, to buy such Goods as are vendible therein, according to the true Intent and Meaning of this Act, any Law or Custome to the contrary notwithstanding.

Fairs to be
open to all
Buyers and
Sellers.

Governor to
grant Licence
for Markets.

IV. Fourthly, And whereas many groundless and vexatious Accons of Arreast have for severall Years past been commenced in the Court of Chancery of this Isle, and prosecuted without any just Cause of Accon appearing when the same came to an Issue, and yet the Defendants had notwithstanding been put to great Difficultys to find Bail, or otherwise lye in Prison, and sometimes Vessels and Merchandizes have been arreasted till the Accon came to a hearing, whereby diverse Inconveniencys have happened, especially to trading Persons; be it therefore ordered, declared, and enacted by the Authority aforesaid,

(1.) That if any Person or Persons whatsoever shall hereafter bring any Bill or Accon of Arreast in the said Court of Chancery against another, and thereon arreast or detain his Vessell or Goods, and that no just Cause of Accon afterwards appears, or is made out on the hearing of such Bill or Accon, then and in such Case it shall be lawfull for the Defendant so injured to bring his Accon against such Complainant for the Costs and Damages sustained by him by Reason thereof; and when such Accon comes to an Issue, the Governour, as Chancellor of this Isle, shall make a Rule or Order thereon, directing the same to a Jury, consisting of Merchants and Mariners, or other proper Persons, to award suitable Costs, Damages and Reparation, to the Party grieved, as well for the

Action of
Damages for
vexatious
Arrests to be
tried by
Jury.

If Damages
unreason-
able, Chan-
cellor may
reduce.

No Arrest
against
landed Man
or Native of
this Island
unless going
off.

Arrest for
foreign Debt
only to hold
Defendant to
Bail for Ef-
fects in the
Island.

Fraudulent
Assignments
void.

Action for
Slander.

Herring
Fishery.

false Imprisonment as for the wrongfull Detention of any Vessel or Goods, as they in their Consciences shall find and return to be just and reasonable; upon which Return the said Chancellor is hereby impowered to make an Order, and thereon grant Execution for levying the said Damages off the Person bringing and comencing such false and vexatious Accon as aforesaid: Provided always, that if the Costs and Damages found by such Jurys should be too high or unreasonable, it shall be lawful for the Chancellor to moderate the same according to Justice and Equity, any Thing herein contained to the contrary notwithstanding:¹

(2.) Provided also, that no Accon of Arreast shall be granted against any landed Man or Native within this Isle, to imprison, or hold him to Bail, unless he hath obtained the Governour's Pass, or that there is some other just Cause to believe he designs to go off the Island.

(3.) And be it further enacted by the Authority aforesaid, That any Person prosecuted in this Isle for a forreign Debt, by any Accon of Arreast in the said Court of Chancery, shall for the future be held to Bail only for his personal Appearance to such Accon, and for the forthcoming of what Effects he hath within this Island to answer the Judgement upon the same; and if those Effects fall short, the Complainant shall have the Benefit of a Jury of Enquiry to find out what other Effects he hath to satisfy the said Judgement;²

(4.) And that all fraudulent Assignments or Transfers of the Debtor's Goods or Effects shall be void and of no Effect against his just Creditors, any Custome or Practice to the contrary notwithstanding.

V. Fifthly, For preventing the many notorious Instances of Discord and Animositys among the People of this Isle, occasioned by slanderous Words and Defamations, it is ordered, ordained, and enacted by the Authority aforesaid, That after Slanderers or Defamers are found guilty either in the Temporal or Spiritual Courts, as the Matter shall be properly cognizable, the Person or Persons so slandered shall not only recover his or their Costs by Accon at Comon Law, but also such further Damages and Satisfaction against the Slanderer or Slanderers as shall be suitable to the Injury sustained, and the Ability of the Defamer at the Judgment of the Jury sworn for Tryal of the said Accon, any former Law or Custome to the contrary notwithstanding.³

VI. Sixthly, And whereas the Herring Fishing in this Isle hath for many Years past been very uncertain, and yet severall Strangers as well as Natives have bought up and

¹ Altered as to Costs by Act of 1758, Chap. 2.

² Repealed by Act of 1814, Chap. 1.

³ Altered as to Costs by Act of 1758, Chap. 2.

transported fresh Herrings before the Country was supplied, whereby the Comonalty hath often been disappointed and deprived of their chief Support, and obliged to buy Herrings from Abroad at high Prices, to the great Detriment of the Publick in generall; it is therefore ordered, declared, and enacted by the Authority aforesaid, That no Person or Persons whatsoever shall for the future be permitted or suffered to buy up any Herrings for Exportation from this Isle or the Coast thereof, before the Country or Commonalty be supplied; that is to say, as long as the Herrings may be bought and sold at one Shilling and Twopence per Hundred, or above, and that the Fishermen have a Vent for the same at that Price within the Island; and if any Person or Persons shall be found to transgress this Law, he or they so offending shall forfeit as follows, viz. The Buyer to forfeit all such Herrings as shall be so bought and shipped for Exportation, or the Value of the same, and the Seller also to forfeit a Sum equivalent to the Price he sold them for, by Execution from the Waterbayliff upon Prooffe made before him, One-half to the Informer, and the other to the Poor of the Parish where such Forfeitures shall happen, any Law or Custome to the contrary notwithstanding.¹

VII. Seventhly, Whereas by the Customary Usage of this Isle all Differences arising between Party and Party touching Ways, Watercourses, Mears, and Boundaries, and such like, are peculiar to the Enquiry and Decision of the Great Enquests, and a first and second concurring in their Verdicts upon any Cause before them hath been held conclusive, or on their Disagreement the Difference referred to the Determination of a Grand Jury of twenty-four Men selected out of the severall Parishes of that Side of the Island: And whereas it hath been observed and often complained of, that notwithstanding the care taken to promote Justice and preserve Propertys by the Establishment of such a regular Method of Procedure, yet the said two first Enquests knowing themselves not to be accountable by Law for Irregularitys, have followed each other's Steps, and concurred in Error and Wilfulness rather than any just Regard either to Law or the Merits of their Evidence, to the great Prejudice of the Publick: For Remedy whereof, be it enacted and ordained by the Authority aforesaid,

(1.) That the Method of proceeding by two Great Enquests on all such Differences as aforesaid shall be had, observed, and carried on in the same Manner as formerly; but under this Regulation and Restriction, that although such two first Enquests should concur in their Verdicts in any Cause they shall hereafter be convened upon, yet any Party finding himself aggrieved shall have the Benefit of a Grand Jury of twenty-four Men selected as aforesaid, to pass on such Enquests Proceedings as he might heretofore have had on their Disagreement;

(2.) And it shall be lawful for such Grand Jury fully to enquire and examine into the Matter, and into the Legality of the said Enquest's Proceedings, and impartially return their Verdict upon the same according as the Case shall appear to them; which Verdict shall be held of Validity and Effect against the Verdict or Verdicts of the said Enquests, any Custome or Practice to the contrary notwithstanding;

(3.) Provided this Act shall not affect any Cause proceeded in heretofore, and that such Grand Jurys shall always give in their Verdicts at the Court of Gaole Delivery where the Partys may have an Opportunity to be present, to make their Objections, if they have any, in open Court:

(4.) Provided also, that if the said Grand Jury finds that both or either of the said Enquests have acted erroneously or partial, it shall be lawful for them to return such Enquest or Enquests to the Mercy of the Court, to be fined in any Sum not exceeding six Shillings and Eightpence a-piece.

(5.) And in Consideration of the great Trouble which Great Enquests are constantly put to, and often by turbulent and litigious Persons upon trivial Occasions, it is further ordered and enacted, That when any Person comes to the Coroner, Lockman, or Serjeant of any Barrony, with Authority to convene the Great Enquest upon any Cause, such Person shall (besides the usual Fee) deposit two Shillings into such Officer's Hands, to the End that the same may be applied to the Charges of the said Enquest; yet if it should afterwards appear that the Defendant was the Cause of the Trouble given to the said Enquest, it shall then be lawful for the Magistrate who accepts their Verdict to grant immediate Execution to the Plaintiffe to levy as well the said two Shillings as all other occasional Fees off and from such Defendant without further Suit, any Custome or Usage to the contrary notwithstanding;

(6.) And that as often as a Grand Jury is convened and troubled upon any Cause as aforesaid, they shall have Sixpence a-piece towards their Charges, payable in the Manner above directed in the Case of the Great Enquest.²

Herrings not to be Exported until Inhabitants supplied at 1s. 2d. per hundred.

Penalty.

Ways, Watercourses and Boundaries, tryable by Great Enquest.

In case of irregularity, Appeal to Grand Jury of 24 Men.

Verdict of Jury of 24 valid to be returned at Court of General Gaol Delivery.

Two Shillings to be deposited with Officer convening Jury.

Grand Jury to be paid 6d. each for attendance.

¹ Repealed by Act of 1796, sect. 2.

² Amended by Acts of 1742 and 1753 (Chap. III.). Great Enquest and Long or Grand Juries abolished by Common Law Courts Juries Act, 1777 (Chap. VIII.). Great Enquest revived except as to differences as to private rights by Act of 1793.

Breaking
Gaol.

VIII. Eightly, Whereas many Instances have lately happened of notorious Malefactors, as well as Persons imprisoned for Debt, breaking and making their Escape out of Gaole, and so by the Help of their Confederates secretting themselves and clandestinely getting off the Island, by which Means Delinquents evade Justice, and honest People are deprived of their due Debts, to the great Detriment of the Publick ; and the Law having not hitherto made any Provision in these Cases, so as to make the Aiders and Abettors of such Malefactors and others lyable to Punishment and Restitution, though generally principal Contrivers and Actors in such Enormitys : For Remedy whereof, be it ordained and enacted by the Authority aforesaid,

£20 Fine for
assisting to
break Gaol.

(1.) That any Person or Persons who hereafter shall be found and lawfully convicted of rescuing any Malefactor aiding or assisting to break or make his Escape out of Gaole, such Person or Persons so offending shall forfeit the Sum of twenty Pounds to the Lord of this Isle :

£10 Fine for
assisting
Escape.

(2.) And whosoever shall be found and convicted of being any way active in conveying and carrying any Malefactor off the Island, or aiding or assisting him in his Escape, agreeing with a Vessel, carrying Messages, or the like, such Offender or Offenders shall be fined in any Sum not exceeding ten Pounds, to the Lord, besides three Months Imprisonment :

Liabie to the
Payment of
Debts for
assisting
Debtor to
escape.

(3.) And whoever shall rescue any Person imprisoned, or in Execution for Debt, or be hereafter found directly or indirectly concerned in aiding or assisting any Debtor to escape out of Gaole, or to get off the Island, or in privately conveying or carrying off any Person indebted within this Isle, such Person or Persons so acting, aiding, or assisting, upon Proofs made thereof, shall be lyable to pay all the Debts which such Debtor or Debtors did owe within the said Isle at the Time of his or their Departure from the same, besides a Fine not exceeding three Pounds to the Lord, any Custome or Usage to the contrary notwithstanding ;

If not able to
pay to be
publicly
whipt.

(4.) But in case such Person or Persons acting, aiding, or assisting, as aforesaid, have not Effects to discharge and pay the said Debts, that then he or they so offending shall be publicly whipt in the four severall Markett Towns of this Isle, besides three Months Imprisonment ; and if any Goods can be discovered or found, the same to be applied towards the Payment of such Debts as far as they will extend to discharge them.¹

Repeal of
Statutes for-
feiting Ship
for taking
Persons off
Island with-
out Licence.

IX. Ninthly, And whereas by certain antient Statutes incerted in the Book of Statutes of this Isle in the Govern-
ance of the Tynwald, and in the Years of our Lord one
thousand four hundred and twenty-two, and one thousand
six hundred and sixty-four,² it is declared, That neither
Vessell or Boat shall carry any Person off this Isle without
a Special Lycence from the Lord or his Lieutenant, upon
Pain of forfeiting the Vessell, and all the Goods therein,
&c. ; and it being now conceived that the said Forfeiture
is too high and rigorous, and that Merchants and Owners
intrusting their Ships, Vessells, and Goods under the Care
of Masters, may be greatly prejudiced thereby, since such
Masters may daily transgress and incurr the Penaltys of
the said Statutes, without Knowledge or Privity of their
Employers, which being also a Discouragement to Trade; be
it therefore ordained and enacted by the Authority aforesaid,

In case of
taking Person
off Island
without
Licence, £10

(1.) That the said Statutes shall, and are hereby absolutely repealed to all Intents and Purposes whatsoever ;

(2.) And that any Ship, Vessell, or Boat, which shall hereafter carry any Person or Persons off this Isle whatsoever, without the Governour's Lycence first had and obtained for his or their Departure, shall forfeit any Sum not

¹ Repealed by Criminal Code of 1817.

² This Act was passed in 1664, but promulgated in 1665, which is the correct date of the Act. See Act of 1665, Chap. 1, sec. 3.

exceeding ten Pounds to the Lord of this Isle, to which Forfeiture the Master of such Ship, Vessell, or Boat, shall in the first Instance be lyable, over and besides paying the Debts which such Person or Persons so carryed off did owe in the Island at the Time of their Departure, as already mentioned in the eighth Act above-written;

Fine payable by Master of Ship, besides Debts due by Person taken off.

(3.) Provided, that if the Master shall at any Time be absent or insolvent, the Vessel to be then subject and lyable to the said Fine and Debts in Manner afore-mentioned, the said Statutes, or any other former Law, Custome, or Practice to the contrary of this Act notwithstanding; but such Vessell not to be so lyable longer than for the Term of two Years, unless she continues to be the real Property of the same Owner.

X. Tenthly, And be it further ordained and enacted by the Authority aforesaid,

(1.) That the Commencement of all Suites and Processes for Title of Houses, Lands, Tenements, Milns, Cottages, and Intacks, being Inheritance or Quarterlands within the said Isle, shall always be by Accon at Comon Law, and not otherwise, and tryable by Sheading Jurys, Traversers, and the Keys, as accustomed;

Title to Houses, Lands, &c. tryable by Action at Common Law.

(2.) Provided nevertheless, that if manifest Frauds and Deceipts shall be comitted or made use of to gain or procure legall Titles, which cannot be relieved or proceeded in by the Comon Law, but require to be detected and redressed in the Chancery Court in Equity, then and in that Case the Plaintiff bringing his Accon for the Title at Comon Law may also alledge the Fraud therein; and upon the Defendant's Appearance to the Accon, and a Jury being sworn thereon, such Plaintiff then to give in a stated Case in Writeing, containing the Particulars of his Allegation with respect to the Fraud; and upon entering into Bonds to the value of ten Pounds to make good the same, the Proceeding at Comon Law shall be stayed, and the Plaintiffe allowed to go with his Cause into Chancery, to prove and make out the Frauds and Deceipts complained of by way of Accon or Bill in Equity:

In case of Fraud, Party may apply to Court of Chancery.

Proceeding at Common Law to be suspended.

(3.) And when the Defendant joins Issue, the Chancellor, for his better Information, shall direct the Examination of the Matter to six of the twenty-four Keyes by way of Commission, to enquire into the same by Oathes or otherwise, as the Case shall require, and then to make their Report of the Whole impartially to the Court in Writeing, in order to a Determination of the Cause:¹

Chancellor to direct six of the 24 Keyes to enquire and report.

(4.) But if upon reading and considering the said Report, and hearing of the Cause, that Court should not have sufficient Proofs to find and decree for the Fraud complained

In case Fraud not estab-

¹ Repealed by the Appellate Jurisdiction Act, 1867.

lished, to be transmitted back to Comon Law.

Upon Appeal, Bonds to be entered into.

Disputes respecting Mortgages to be tried in Chancery.

Sequestrations on Lands only in extraordinary Cases.

Defendants at Common Law obliged to answer at second Court.

Party residing in Great Britain or Ireland, to have a Year to examine Witnesses by Comn.

If in foreign Country, three Years allowed.

Traverse to be tried in 3 months from Entry, unless time granted by Governor.

Juries or Keys not to be de-

of, that then the Matter of Title in question shall be transmitted back again, to be proceeded in and decided by the Course of Comon Law according to the Intendment of this Act, and the Plaintiff shall be lyable to the Forfeiture of his Bonds to the Defendant in Satisfaction for his Costs, Charges, and Damages, or such Part thereof as the Chancellor shall think reasonable to allow upon Account of the same, and the Party, whether Plaintiffe or Defendant, who shall be cast in the Cause by the Decree of Chancery, to be answerable for the Amercement due to the Lord on the said Accon at Comon Law ; and if either Party shall appeal from the said Decree of Chancery, he shall be obliged to enter into Bonds thereon as usual.

(5.) But it is further provided, That this Act shall not be construed, understood, or taken to extend to or affect any Cause or Causes already comenced or proceeded in whatsoever, any Thing herein-before contained to the contrary notwithstanding :

(6.) Provided also, that Disputes and Controversys concerning Mortgages shall, according to the Act of Settlement, be determinable in the Court of Chancery ;

(7.) And that hereafter no Sequestration shall be laid upon the Profitts of any Lands, Tenements, Milns, or Hereditaments whatsoever, by any Court or Magistrate within the said Isle, but in extraordinary Cases ; and the same not to be then done without the Consent of the Governour, Officers, Deemsters, and Keys of the said Isle, any Custome or Practice to the contrary notwithstanding.

(8.) And be it further ordained and enacted by the Authority aforesaid, That the Method of Process and Proceeding at Comon Law shall for the future be shortened, and the Course and Order thereof contracted and fixed in a summary Way to Justice, by enjoining all Defendants to Accions comenced in that Court to make their Appearance ; and they are hereby accordingly enjoined and obliged to answer to such Accon the second Court, and join Issue in the same Manner and Form, and under the same Restrictions, as they heretofore did or should do at the third Court :¹

(9.) Provided that if any Party or Partys to any Suit or Accon at Comon Law live in Great Brittain or Ireland, or want Prooffe from thence to be taken by or under a Com^{co}, to be sped from the Court in this Isle in relation to such Suit or Accon, he or they shall have Time allowed for the same, not exceeding the Space of one Year from the Time that Issue is joined and a Jury sworn upon the said Accon :¹

(10.) And if any Party or Partys to such Suit or Accon live in forreign Countreys, or want Prooffe from thence to be taken as aforesaid, he or they shall also have Time allowed for the same at the Court's Discretion, not exceeding the Space of three Years :

(11.) And in case any Party finding himself aggrieved by the Verdict of the first Jury should enter a traverse within the Time already limited by Law, such Person or Persons shall hereafter be obliged to prosecute the same with Effect, so as to bring the Traverse Jury to a Verdict within the Space of three Months from such Entry, except the Governour or either Deemster, upon lawfull Cause shewn, shall grant further Time, not exceeding three Months longer, but not to suffer any wilfull or unnecessary Delays in any Cause, or upon any Account whatsoever, any Law, Custome, or Practice to the contrary notwithstanding.¹

(12.) Provided always, and it is hereby declared and enacted, That no Restraint shall hereafter be laid or continued upon the said Juries, nor upon any other Jury or Enquest

¹ Repealed by Act 1777, Chap. 6.

longer than for six Hours after being agreed on a Verdict and such their Verdict written, and by them signed and offered to the proper Magistrate ;¹

tained after
Verdicts in
Writing given.

(13.) And that the Keys of this Isle shall at no time be kept together after being agreed on their Return or Judgement in any Cause depending before them, and such Return or Judgement by them, or a Majority of them, written, signed, and delivered to the Governour ;² and during the Time they are hearing Causes none shall presume to insult or abuse them, on Pain of being confined by Order from the Governour, upon Application by them made for that Purpose, till the Offender or Offenders give Bail for his or their good Behaviour till the next Court of Gaole Delivery, and be fined in any Sum not exceeding six Shillings and eight Pence as the Nature of the Offence doth or shall demerit.³

Persons of-
fending Keys
whilst sit-
ting, to be
fined and
imprisoned.

(14.) And be it further ordained and enacted by the Authority aforesaid, That any Person or Persons who now have, or hereafter shall have any Appeale, or Cause of Appeale, from any Decree, Order, Sentence, Judgement, or Proceeding of any of the Courts or Magistrates of this Isle whatsoever, or from the said Keyes to any superior Judge of Appeales, shall and are hereby obliged to preffer his or their Appeale or Appeales for Acceptance, and enter into Bonds thereon in order to an effectual Prosecution within six Months from and after the Publication of this Act, or within six Months next after the Decree, Order, Sentence, or Judgement is made, or given against them, or any of them, otherwise they, and all Persons claiming under them, to be excluded and barred (whether Plaintiffe or Defendant) from the Benefit of any Appeale for ever after, any Law, Custome, Usage, or Practice to the contrary in anywise notwithstanding.

Appeals to
be entered
within six
Months.

(15.) And be it further enacted by the Authority aforesaid, That the Verdicts of all Great Inquests, Setting Quests, and Slander Jurys, shall for the Time to come be delivered and received in the Presence of both Partys, or their Agents or Attorneys, in publick Court as antiently accustomed, or by the proper Magistrate or Magistrates out of Court ; but that to be likewise made known to and done in Presence of the Partys, or their Agents or Attorneys, who for that Purpose are to attend at the Courts as well as before such Magistrates where such Verdicts are to be taken, to make their Objections, if they have any, otherwise the same to be received, and the Proceeding to go on in his or their Default.

Verdicts of
Great In-
quests and
Slander
Jurys to be
delivered in
presence of
Party.

(16.) And to prevent Corruption and Partiality in Jurys and Enquests, it is also ordained and enacted, That if any Jury or Enquest Man shall take any Fee or Reward from any Person or Persons whatsoever in Money or otherwise, and be thereof lawfully convicted, he or they so offending shall be prosecuted and punished as in the Case of Perjury : And if any Juror or Enquest Man will be treated with Liquor, or otherwise, by either Party, in any Suit or Accōn depending or to be tryed before them, without the Consent of the other of the said Partys thereto, such Juror or Enquest Man shall be fined six Shillings and eight Pence, upon Proove made against him before the Governour

Bribing or
treating
Juryman.

¹ Repealed by Act of 1777, Chap. 8.

² Repealed by Appellate Jurisdiction Act, 1867.

³ Repealed by Criminal Code of 1817.

or Deemster, and be discharged from such Jury, and another sufficient Man sworn in his Place, any Law, Custome, or Practice to the contrary notwithstanding.¹

Excommunication.

XI. Eleventh. And be it further ordained and enacted by the Authority aforesaid, That the Custome and Practice of delivering over Persons excommunicated in the Spiritual Court, Body and Goods, to the Lord of the Isle, shall intirely cease, and that such Persons excommunicated continuing obstinate for the Space of three Months under Censure, shall, upon Application to the Governour by the said Court, be confined three Months in one of the Castles, instead of the rigorous Punishment and Forfeiture aforesaid : But this shall not be construed or understood to take off his Censure, any Law, Custome, or Usage to the contrary notwithstanding.

The Oath
"Ex Officio,"
abolished.

XII. Twelv'th, And be it further ordered, declared, and enacted by the Authority aforesaid, That it shall not hereafter be lawfull for the Spiritual or Ecclesiastical Courts of this Isle, or any Judge or Magistrate of the same, nor any other Person having or exerciseing Spiritual or Ecclesiastical Jurisdiction, to tender or administer unto any Person or Persons whatsoever the Oath commonly called "The Oath *Ex Officio*," or any other Oath whereby such Persons to whom the same is tendered or administered may be charged or compelled to confess or accuse, or to purge him or herself of any criminal Matter or Thing, whereby he or she may be lyable to any Censure or Punishment, any Law, Custome, or other Matter to the contrary in anywise notwithstanding ; provided that this Act shall not be construed or understood to hinder the said Courts or Magistrates from giving an Oath to any Person or Persons who shall come voluntarily to clear his, her, or their Reputations, with lawfull Compurgators as accustomed.

Contempts of
Court.

XIII. Thirteenth, And be it further enacted by the Authority aforesaid, That the Spiritual Courts of this Isle, nor any Judge or Magistrate thereof, shall for the Future imprisson any Person or Persons whatsoever upon Contempts for Non-appearances before them upon any Process or Citation ; but instead thereof, upon Application to the Governor, and producing to him a Certificate of the Contempt, a Soldier shall be granted to take such Contemner before the said Court, Magistrate, or Magistrates, on a Day appointed, and to have a reasonable Fine set upon them for the Contempt, as accustomed in such Cases in the Temporal Court, any former Practice or Custome notwithstanding ;

¹ Repealed by Criminal Code of 1817.

provided that when the Sumner is put to Trouble to apply for a Soldier, the Contemner shall pay him Twopence for every Parish through which he shall travel before such Contemner shall be released out of the Soldiers Custody; and that the Spiritual Magistrate shall have his usual Fee of Sixpence for every Contempt he shall certify pursuant to this Act.¹

XIV Fourteenth, Whereas the present Book of Rates for the Payments of Dutys upon Goods and Merchandizes exported from and imported into this Isle hath not hitherto had the Consent and Concurrence of the Twenty-four Keyes, it is now ordained, consented to, and enacted by the Authority aforesaid, That the Rates, Dutys, and Fees, set down, fixt, and mentioned in the said Book of Rates, made in the Year of our Lord one thousand six hundred and ninety-two² (Prizage of Wine excepted), shall be observed and paid unto the Lord of this Isle and his Successors for ever hereafter in the Manner the same are in and by the said Book of Rates specified and directed, without Alteration, or any additional Dutys, Customes, or other Impositions to be laid upon any Goods or Merchandizes exported or imported from or into the said Isle for the Future, save what is before excepted and hereafter mentioned and expressed in this Act, viz. It is hereby provided and enacted by the Authority aforesaid,

Book of
Rates of
1692 con-
firmed by
Keyes.

(1.) That all Goods of the Growth, Product, and Manufacture of this Isle, shall for ever hereafter be exported free and exempt of and from the Payment of all Dutys and Customes to the Lord whatsoever, and that the Payment of Royaltys for Flaggas and States to be exported shall also cease; but the Duty upon Limestones to continue, as being excepted out of this Act :

Produce of
Isle exempt
from Export
Duty.

(2.) And in Lieu and Satisfaction of such said Priviledge of free Exportation, it is further enacted, That for the Future the Dutys shall be raised upon the Importations hereafter mentioned, viz. for Horses imported by the Native to pay for each one Shilling and Sixpence, and by the Stranger two Shillings and Sixpence; for Cattle imported by the Native to pay for every Head one Shilling and Sixpence, and by the Stranger three Shillings; for Barley imported by the Native to pay Fourpence $\frac{1}{2}$ Bowle, and by the Stranger Eightpence $\frac{1}{2}$ Bowle, including the Dutys formerly paid and chargeable on these Particulars by the said Book of Rates; and that the Prizage of Wine in the said Book of Rates mentioned shall in the Future cease, and in lieu thereof the Native as well as the Stranger shall pay ten Shillings $\frac{1}{2}$ Tonn for all Wines imported.

Duties on
Importation
raised in lieu.

(3.) And whereas the Dutys, Customes and Royalties, hitherto paid to the Lord upon the Exportations from this Isle, are now computed to have amounted at least to ten Pounds $\frac{1}{2}$ Annum, it is therefore provided and reserved, That whatever the Dutys now advanced and made payable by this Act shall be deficient or fall short of the said ten Pounds $\frac{1}{2}$ Annum to the Lord, the same shall be made good on the Part of the Countrey to the said Lord and his Successors out of some other Fund or Article which will be sufficient to answer the same; otherwise, in Default thereof, the said Lord or his Successors, upon timely Notice given at a Meeting of the Keyes, at any five Years End, may resume and re-enter upon the said Dutys upon Exports from the said Isle, and not otherwise, any Thing herein contained to the contrary notwithstanding.

Amount of
Export
Duties £10
per annum.
Lord at
liberty to
resume Ex-
port Duties
at the expi-
ration of 5
Years.

(4.) And be it further enacted by the Authority aforesaid, That Malt shall not hereafter be allowed to be imported, but the same to stand prohibited to all Intents and Purposes whatsoever; and that Wheat and Barley shall not for the Time to come be imported or admitted to an Entry Inward, unless the Markett Prices in the Island for such Sorts of Graine be above the Rate of fourteene Shillings $\frac{1}{2}$ Bowle for Wheat, and twelve Shillings $\frac{1}{2}$ Bowle for Barley, any Thing before contained in this Act or in the said Book of Rates to the contrary notwithstanding: Nor shall any foreign Barley so imported be made into Malt, unless the Markett Price in the Island for Malt be fiftene Shillings $\frac{1}{2}$ Bowle, or above; and this under the Penalty of *xxs.* for every Default, Half to the Lord and the other to the Informer.³

Importation
of Malt and
other Grain
prohibited.

(5.) And for the Encouragement of Trade and Traders within this Isle, be it ordained and enacted by the Authority aforesaid, That from henceforth no Order, Precept, or Comand, prohibiting the Importation or Exportation of any foreign Goods, (save what is prohibited by this Act), or

¹ Fees for Spiritual Court in Act of 1748, Chap. 3. Sumners Fees in Act of 1813, Chap. 2.

² See Book of Rates of 1792 at end of this Act.

³ Sub-sec. (4) altered and certain new duties imposed by Act of 1748, Chap. 7. By Act of Parliament 7 Geo. III. c. 45 (1767) all export and import duties ceased and new duties were imposed.

any other Goods of the Growth, Product, or Manufacture of this Isle, shall be granted or made without the Consent of the Governour, Council, Deemsters and Keyes of the said Isle :

Governor,
Council, and
Keys to lay
on Embargo
if necessary.

(6.) Provided always, that if it appears, upon any just Complaint made to the Governour, that the Publick wants Corn, or other Necessarys, by too great an Exportation, or suffers by a more than a usual Importation of any Goods or Merchandizes, then and in such Cases the Governour is to call the Councill, Deemsters, and Keyes, to consult and consider of the same, and give Orders therein according to the Rules prescribed by the Statute made in the Year of our Lord 1645 in that Behalf, or as they shall see most necessary for the publick Good of the said Isle, any Law or Usage to the contrary notwithstanding.

Memorandum. That the Word (Circumstances) interlined in the fourteenth Line of the first Act—the Raisure in the twenty-fourth Line of the ninth Act—the Word (such) in the ninety-eighth Line of the tenth Act—the Words (at any five Years End) interlined in the fifty-second Line of the fourteenth Act—the Word (Goods) interlined in the seventy-third Line of the same Act, were all made and done before the Signing thereof.¹

Cha. Moor.
Dan. Mylrea.

J. Murray.
Cha. Stanley.
Allen Stanley.
William Christian.
Jon. Quayle.

The Keyes.

John Stevenson,	Robert Cæsar,
Tho. Heywood,	John Oates,
Jon. Wattleworth,	John Moore,
John Garrett,	Cha. Killey,
Jon. Taubman,	John Christian,
Will. Murray,	John Lace,
Phi. Moore,	William Qualtrough,
Jon. Christian,	William Stevenson,
Tho. Stevenson,	Edward Christian,
Quayle Curphey,	Matth. Christian,
Tho. Huddleston,	Richard Tyldesley.

At Castle Rushen, the 12th August, 1736.

I do allow of and confirm the fourteene Acts before written according to my Prerogative within my Isle of Man, and do order that the said Acts be published on the Tynwald Hill according to the antient Form and Custome of my said Isle.

ATHOLL.

¹ This note relates to the original MS.

*At a Tynwald Court holden at St. John's Chappel the
24th Day of June, Anno Dni 1737.*

The beforewritten fourteen Acts were this Day publicly proclaimed upon the Tynwald Hill according to the antient Forme and Custome of this Isle; as witness our Hands this Day and Year above written,

Cha. Moor.
Dan. Mylrea.

Cha. Stanley.
Allen Stanley.
William Christian.
Jon. Quayle.

The Keyes.

Jon. Wattleworth,	John Moore,
Tho. Heywood,	Matth. Christian,
John Murrey,	Richard Tyldesley,
John Garrett,	John Lace,
John Christian,	Thomas Huddleston,
John Taubman,	William Qualtrough,
Tho. Stevenson,	John Oates,
John Christian,	Cha. Killey,
William Murrey,	William Stevenson,
Quayle Curphey,	Edward Christian.

NOTE.—The following is the Book of Rates referred to in Sec. xiv. of the foregoing Act transcribed from Appendix A., No. 3, to the Report of the Commissioners of Enquiry as to the Isle of Man of 1792.

BOOK OF RATES, 1692.

At a Councell holden in Castle Rushen the 4th day of July Anno Domini 1692.
The Book of Rates hereunto annexed is this day revised and settled by us and humbly left to our Honourable Lord for his approbation.

Will. Sacheverell.
J. Rowe.
Ri. Stevenson.
P. Heywood.

RATES INWARD.

	s.	d.
Ale, the Barrel	ij.	vj.
Alom, the Hundredweight, containing 112 lbs.	-	vj.
Anchorage of Barkes or Vessells with a Cock boat by the Stranger	-	vij.
And by the Countryman	-	iiij.
Of Small Vessells or Clinssers without a Cock Boat by the Stranger	-	iiij.
And by the Countryman	-	ij.
Apples the Thousand	-	vj.
Aules the Hundred at Six Score per cent.	-	iiij.
Aulgers the Doz.	-	iiij.
Axes or Hatchets, the Doz.	-	vj.

	a.	d.
Barley. Vide Corne.		
Bark for Tanners the Barrell - - - - -	j.	
Bakon the Hundredweight, cont. 112 lb.	vj.	
Baskets made of splits or twiggs, the Doz.	ij.	
Beef the Carcass, by the Stranger - - - - -	vij.	
Beef the Carcass, by the Countryman - - - - -	vj.	
Beer the Barrell - - - - -	ij.	vj.
Bellows the Doz. - - - - -		vj.
Brandy and all sorts of Strong Waters per Hogshead and so proportion- able - - - - -	v.	
Brass the Hundred, cont. 112 lb.	xij.	
Brasil the Hundredweight, cont. 112 lb.	xij.	
Bridle bitts, or snaffles, the Doz.	ij.	
Bridle or reignings of all sorts, per Doz.	iiij.	
Buckles, viz. ; Shoe Buckles the Doz. pair - - - - -	j.	
Girth Buckles the Doz. pair - - - - -	q.	
Butter the Hundredweight cont. 112 lb.	xij.	
Buckram the peece cont. 80 yards - - - - -	vj.	
Buttons of all Soarts, viz. Silk Buttons per Single Groce - - - - -	j.	
Hair Buttons per Single Groce - - - - -	j.	
Thread and Gimp buttons per Single Groce - - - - -	ob.	
Boards, viz., inch bords or planks that are measured by the foot to pay 3 foot in the hundred, or - - - - -	xij.	
Cliffe Boards to pay 3 in the hundred, or - - - - -	xviiij.	
Dayle Boards to pay 3 in the hundred, or - - - - -	ij.	
Hogshead Staves to pay 3 in the hundred, or - - - - -	ij.	
Barrell Staves to pay 3 in the hundred, or - - - - -	ij.	
Which is to be at the Lo. or his Officers choice.		
Bottles, viz. Glass Bottles, the Groce - - - - -	vj.	
Stone Bottles, Vide Earthenware.		
Books of all Sortes to be valued, and for every xx s. worth to pay - - - - -	vj.	
Blankets, the pair - - - - -	v.	
Cattle a piece per Stranger - - - - -	ij.	
And by the Countryman - - - - -	xij.	
Candles the Doz. lbs. - - - - -	ij.	
Cardes, viz. Woolen Cardes the Doz. pair - - - - -	ij.	
Hewerdson Cardes the Doz. pair - - - - -	ij.	
Playing Cardes the Doz. pair - - - - -	vj.	
Casques, Hogsheads the Doz. - - - - -	vj.	
Beer Barrells and Herring gage the Doz. - - - - -	iiij.	
Small Firkins or runletts the Doz. - - - - -	ij.	
Chayres, the Doz. - - - - -	iiij.	
Chalk the Hundred cont. 112 lb.] - - - - -	j.	
Chambletts, the Doz. yards to be valued and to pay for xx s. worth - - - - -	vj.	
English Cheese, the Hundredweight at 112 lb. - - - - -	viiij.	
Churnes, the Doz. - - - - -	vj.	
Cloath, viz., Broad-cloath the yard - - - - -	vj.	
Narrow Cloath the yard - - - - -	ij.	
Irish Linnen Cloath the Doz. yards - - - - -	vj.	
Scotch Cloath, the Doz. yards - - - - -	xij.	
Holland and Cambridge the Doz. yards - - - - -	xij.	
Musalin, the Doz. yards - - - - -	xij.	
Callicoe, white, the Doz. yards - - - - -	xij.	
Colloured Callicoe or printed Callicoe, the Doz. yards - - - - -	xij.	
Foldavy, the Doz. yards - - - - -	ij.	
Vitteras, the Doz. yards - - - - -	j.	
Cloaves, the Pound - - - - -	iiij.	
Cynamon, the Pound - - - - -	iiij.	
Cloathes made, or Wearing Apparel, to be Duty free.		
Corne, viz. Barley, and Malt, when they exceed Ten Shillings per Bowle and imported by the Stranger - - - - -	iiij.	
And by the Countryman - - - - -	ij.	
Barley and Malt, when they are under the rate of Ten Shillings per Bowle and imported by the Stranger - - - - -	v.	
And by the Countryman - - - - -	ij.	vj.
Wheate when it exceeds the rate of Ten Shillings per Bowle and im- ported by the Stranger - - - - -	iiij.	
And by the Countryman - - - - -	ij.	

	s.	d.
Wheats when it is under the rate of Ten Shillings per Bowle and imported by the Stranger	v.	—
And by the Countryman	ij.	vj.
Pease and Beanes, when they exceed the rate of Eight Shillings per Bowle, and imported by the Stranger	iiij.	j.
And by the Countryman	iiij.	j.
Rye and Meale, when they exceed viij s. per Bowle and imported by the Stranger	iiij.	j.
And by the Countryman	iiij.	j.
Rye and Meale, pease or Beans when they are under the rate of Eight Shillings the Bowle and imported by the Stranger	iiij.	j.
And by the Countryman	iiij.	j.
Oates, when it exceeds the rate of Six Shillings per Bowle and imported by the Stranger	j.	j.
And by the Countryman	j.	j.
Oates, when it is under the value of Six Shillings per Bowle and imported by the Stranger	ij.	vj.
And by the Countryman	xv.	j.
Coales, the Tunn	ij.	j.
Cork, the Hundred Weight Cont. 112lb.	j ^d .	ob.
Combes, viz. Ivory, Horn or Wooden Combes good and bad computed together per Doz.	ob.	ob.
Cordage of all Soartes, the Hundred pound weight, and Six Score to the Hundred	xij.	j.
Copperas, the Hundred at 112 lb.	vj.	j.
Curraines, the Hundred at 112 lb.	viiij.	j.
Druggs of all sorts to be valued, and for every Twenty Shillings worth to pay Dayles—Vide Boards—	vj.	j.
Earthen Ware made in England, every Hundred great and small, computed together	vj.	j.
And for outlandish Earthenware, every Hundred great and small, computed as aforesaid	viiij.	j.
Flannell to be valued for every Twenty Shillings worth to pay	vj.	j.
Flax the Stone, containing 14 lb.	j.	j.
Figgs the Hundred weight at 112 lb.	vj.	j.
Frying Pannas, the Doz.	vj.	j.
Frises, Vide Narrow Cloth.		
Fustick, the Hundred cont. 112 lb.	vj.	j.
Fustian, the piece cont. 87 yards	ix.	j.
Fyles, the Doz.	j.	j.
Gawles, the Doz. lb.	ij.	j.
Ginger, the Doz. lb.	iiij.	j.
Glass the Hundred foots	vj.	j.
Glass the Firkin or Case	iiij.	j.
Glasses Viz. : Glasses called hower glasses the Doz.	iiij.	j.
Drinking Glasses the Doz.	j.	j.
Looking Glasses, to be valued and to pay for every Twenty Shillings worth	vj.	j.
Gloves of all sorts, the pair	ob.	j.
Grindle Stones, the pair	iiij.	j.
Grocery of all sorts, but what is particularly mentioned in this Book to pay according to poundage viz. for every Twenty Shillings worth	vj.	j.
Gunpowder the Hundred weight containing five Score pounds to the Hundred	xx.	j.
Haberdashery of all sorts but which are particularly mentioned in this Book to pay according to poundage viz. : for every Twenty Shillings worth	vj.	j.
Hats the Doz.	xij.	j.
Hatchets, Vide Axes.		
Herrings the Barrel, by the Stranger	ij.	j.
And by the Countryman	j.	j.
The Mase, by the Stranger	j.	j.
And by the Countryman	ob.	j.
Hemp, viz. Steele Hemp, or other clean Hemp, the Stone cont. 14 lb.	iiij.	j.
Rough Hemp the Stone	j.	j.
Hoops, Vide Splitts.		
Hower Glasses, Vide Glasses.		

	s.	d.
Hops, the Hundred cont. 112 lb.	-	vj.
Horses apiece	-	xij.
Horse shoes the Doz.	-	j.
Incle, the Doz. peeces cont. 30 yards	-	iiij.
Ink Hornes, the Doz.	-	j.
Indicoe, the Doz. lb.	-	xij.
Iron the Hundred at 112 lb.	-	ij.
Iron, Pots the Doz.	-	xij.
Kettles, the Doz.	-	xij.
Knives of all sorts the Doz.	-	ij.
Lamba, the Doz.	-	vj.
Lanthorns, the Doz.	-	ij.
Laces, viz : Bone Laces, Gimp Laces, Third Laces of all sorts to be valued for every Twenty Shillings Worth to pay	-	vj.
Latts, the Thousand	-	iiij.
Lead, the Hundred weight at 112 lb.	-	ij.
Locks in Stockes, the Doz.	-	vj.
Locks of all Sorts viz. plate locks, hing locks, horse locks, &c. with their keys, the Doz.	-	iiij.
Logwood the Hundred, cont. 112 lb.	-	vj.
Leather, viz., Tanned Leather the Dicker by the Stranger	iiij.	-
And by the Countryman	ij.	-
Liquorice, the Doz. lb.	-	ij.
Madder, the Hundred cont. 112 lb.	-	vj.
Mault, Vide Corne.		
Meale, Vide Corne.		
Milne Stones, the Pair	-	xij.
Molasses, the Gallon	-	j.
Nayles viz. Of the greater sort, called Tenpeny nayles the Thousand	-	iiij.
The hundred of the same	-	ob.
Single Spikes the Thousand	-	ij.
Single board nayles the Thousand	-	j.
Sath nayles, the Thousand	-	ob.
Ltone nayles, the Thousand	-	ob.
Sparribells, the Thousand	-	q.
Horse-shoe nayles, the Thousand	j ^d .	ob.
Needles of all sorts, the Thousand	-	vj.
Nutmeggs, the lb.	-	ij.
Nutts, the Barrell	-	liij.
Oaccum, the Hundred Cont. 112 lb.	-	j ^d . ob.
Oates, Vide Corne.		
Oares for Boates, to pay Three in the hundred or els	-	xij.
Which is at the Lo. or his Officers Choice.		
Onyons, the hundred weight at 112 lbs.	-	vj.
Oyle viz. Sallett-oyle, the Gallon	-	iiij.
Linseed oyle, the Gallon	-	j.
Traine oyle or Fish oyle the Barrell	-	vj.
Paper, the Rheam viz. white paper	-	iiij.
And Brown paper the Rheam	-	j.
Payles, the Doz.	-	iiij.
Pease, Vide Corne.		
Pepper, the Doz.	-	iiij.
Pewter, the Hundred cont. 112 lb.	-	xviij.
Pins, every Doz. Sheets	-	j.
Pitch, the Hundred cont. 112 lb.	-	iiij.
Pipes called Tobacco pipes the Crate	-	iiij.
Piow Beames, the Doz.	-	vj.
Powles viz.: Oak powles and Ash powles to pay three out of the hundred or	ij.	-
Owler, and Birch powles to pay three out of every Hundred or	-	xviij.
Which is to be at the Lo. or his Officers Choice.		
Prunes, the hundred cont. 112 lb.	-	vj.

Rasins, the Hundred cont. 112 lb.	-	-	-	-	-	s.	d.
Red Wood, the Doz. lbs.	-	-	-	-	-	-	vj.
Ribbin of all Sortes, to be valued and pay for every xxs. worth	-	-	-	-	-	-	ij.
Rinces made of hair or silk, the Doz.	-	-	-	-	-	-	vj.
Ropes, Vide Cordage.	-	-	-	-	-	-	iiij.
Rosin, the Hundred cont. 112 lb.	-	-	-	-	-	-	ij.
Ruggs, a peece	-	-	-	-	-	-	ij.
Rye, Vide Corne.	-	-	-	-	-	-	
Sack, the Butt, by the Stranger	-	-	-	-	-	x.	—
And by the Countryman	-	-	-	-	-	v.	—
Salmon, the Barrell	-	-	-	-	-	-	vj.
Salt, the Tonn	-	-	-	-	-	-	xij.
Saunders, the Hundred, cont. 112 lb.	-	-	-	-	-	-	vj.
Sadles, the Doz.	-	-	-	-	-	ij.	—
Sawes for Joiners, the Doz.	-	-	-	-	-	-	vj.
Sheep, the Doz.	-	-	-	-	-	-	xij.
Shoes, viz. Men and Women's Shoes, the Doz. pair	-	-	-	-	-	-	xij.
Children's Shoes, the Doz. pair	-	-	-	-	-	-	vj.
Shott, the Doz. Pounds	-	-	-	-	-	-	ob.
Sheares, the Doz. viz.: Taylors' Sheares	-	-	-	-	-	-	vj.
Sheep Sheares, the Doz.	-	-	-	-	-	-	ij.
Sissers, the Doz.	-	-	-	-	-	-	j.
Serges and Seyes of all sorts to be valued, and for every xxs. worth to pay	-	-	-	-	-	-	vj.
Silk, called Thrown Silk, the Pound	-	-	-	-	-	-	vj.
Silk Manufactory of all sorts to be valued, and for every xxs. worth to pay	-	-	-	-	-	-	vj.
Sickles, the Doz.	-	-	-	-	-	-	j.
Sythes, the Doz.	-	-	-	-	-	-	vj.
Soap, the Hundred, cont. 112 lb.	-	-	-	-	-	-	vj.
Spades, the Doz.	-	-	-	-	-	-	iiij.
Spade shafts, the Doz.	-	-	-	-	-	-	j.
Splitts, to pay 3 out of the Hundred, or Which is to be at the Lo. or his Officers Choice.	-	-	-	-	-	-	j.
Spelts, the Thousand	-	-	-	-	-	-	ij.
Stoares, the Hundred	-	-	-	-	-	-	vj.
Stockins, viz. Coarse stockings, the Doz. pair	-	-	-	-	-	-	vj.
Worsted Stockings, the Doz. pair	-	-	-	-	-	-	xij.
Silk Stockings, the Doz. pair	-	-	-	-	-	ij.	—
Starch, the Hundred, cont. 112 lb.	-	-	-	-	-	-	vj.
Steel, the Hundred, cont. 112 lb.	-	-	-	-	-	-	vj.
Stems, for Boates, the Doz.	-	-	-	-	-	-	vj.
Stuffs of all Sorts, called Norwitch Stuffs, to be valued and for every xxs. worth to pay	-	-	-	-	-	-	vj.
Sumake, the Hundred, cont. 112 lb.	-	-	-	-	-	-	vj.
Sugar viz.: Loaf Sugar, the Hundred cont. 112 lb.	-	-	-	-	-	-	xv.
Sugar Candy, the Doz. lb.	-	-	-	-	-	-	ij.
White Powder Sugar the Hundred cont. 112 lb.	-	-	-	-	-	-	viiij.
Brown Sugar, the Hundred	-	-	-	-	-	-	iiij.
Tarr, the Barrell	-	-	-	-	-	-	iiij.
Tanned Leather, Vide Leather.	-	-	-	-	-	-	
Thrid, viz.: Thrid called Ottnell Thrid, the lb.	-	-	-	-	-	-	vj.
Coloured Thrid, the lb.	-	-	-	-	-	-	j.
Ticking for Bedds, the Doz. yards	-	-	-	-	-	-	iiij.
Timber viz.: Tunn timber, the Tunn	-	-	-	-	-	-	xij.
Or else 3 feet in every hundred feet, which is at the Lord's choice.	-	-	-	-	-	-	
Tobacco, the pound	-	-	-	-	-	-	ob.
And what is re-shipped within a year and a day, to pay for importation.	-	-	-	-	-	-	
Traikle, the Gallon	-	-	-	-	-	-	j.
Trenchers, the Doz.	-	-	-	-	-	-	ob.
Vinegar, the Barrell	-	-	-	-	-	-	iiij.
Vitteras, Vide Cloath.	-	-	-	-	-	-	
Wadd, the hundred, cont. 12 lb.	-	-	-	-	-	-	vj.
Whalebone, the Doz. pounds	-	-	-	-	-	-	iiij.
Wheat, Vide Corn.	-	-	-	-	-	-	
Wines, viz. French Wines, Spanish Wines &c. to pay by the tunn, per Stranger	-	-	-	-	-	x.	—
and by the Countryman	-	-	-	-	-	v.	—

But if the Ship be twenty tunns or more, then she is to pay Price Wine to the Lord, that is to say, half a tunn before, and half a tunn behind the mast and if the Ship be but ten tunns, and under twenty, then to pay half a tunn Price Wine, and if the Ship be under ten tunns, to pay for every tunn as is above mentioned.

Worm Seeds, the Pound	-	-	-	-	-	j.
Wooden Dishes, 3 in the Hundred, for which the Merchant is to pay	-	-	-	-	-	vj.
Wyer, the Doz. Pounds	-	-	-	-	-	iiij.
Yarn, the Doz. Pounds of the finest sort	-	-	-	-	-	vj.
Yarn, the Doz. Pounds of the Coursest sort	-	-	-	-	-	iiij.

RATES OUTWARD.

Ale, the Barrell, by the Stranger	-	-	-	-	-	vj.
And by the Countryman	-	-	-	-	-	iiij.
Anchorage, Vide A. in Rates Inward.						
Ashes, called Pott Ashes, the Hundred weight Cont. 112 lbs.	-	-	-	-	-	vj.
Bakon the Hundred weight, cont. 112 lb.	-	-	-	-	-	iiij.
Beef, the Barrell, by the Stranger	-	-	-	-	-	xij.
And by the Countryman	-	-	-	-	-	viiij.
Beer, Vide Ale.						
Barley, Vide Corne.						
Bread, the Batch, cont. 36 Loaves	-	-	-	-	-	ij.
Blankets, the Pair	-	-	-	-	-	v.
Butter, the Hundred weight, cont. 112 lb.	-	-	-	-	-	vj.
Caddowes, a Peece	-	-	-	-	-	iiij.
Candles, the Doz. Pounds	-	-	-	-	-	j.
Cattle, by the Stranger, a Peece	-	-	-	-	-	ij.
And by the Countryman	-	-	-	-	-	xij.
Casques, viz. Hogsheds, per Doz.	-	-	-	-	-	vj.
Beer Barrells, and Herring Gage per Doz.	-	-	-	-	-	iiij.
Small Firkins or Runletts, the Doz.	-	-	-	-	-	ij.
Cloth viz. Narrow Cloath, the Yard	-	-	-	-	-	ob.
Raw Cloath, the Yard	-	-	-	-	-	q.
Mankes Linnen Cloth of the finest sort, per Doz. Yards	-	-	-	-	-	j.
Mankes Hewerdson Cloth	-	-	-	-	-	ob.
Cloathes made, Vide in the Ingates.						
Conny or Rabbitt Skins, the Hundred as six score per cent.	-	-	-	-	-	iiij.
Corne, viz. Barley and Malt, when they exceed Ten Shillings per Bowle, and exported by the Stranger	-	-	-	-	-	v.
And by the Countryman	-	-	-	-	-	ij.
Barley and Malt when they are under the rate of Ten Shilling per Bowle and exported by the Stranger	-	-	-	-	-	iiij.
And by the Countryman	-	-	-	-	-	ij.
Wheate, when it exceeds Ten Shillings per Bowle, and exported by the Stranger	-	-	-	-	-	v.
And by the Countryman	-	-	-	-	-	ij.
Wheate when it is under the rate of xs. per Bowle, and exported by the Stranger	-	-	-	-	-	iiij.
And by the Countryman	-	-	-	-	-	ij.
Pease and Beans, when they exceed Eight Shillings the Bowle, and exported by the Stranger	-	-	-	-	-	iiij.
And by the Countryman	-	-	-	-	-	ij.
Pease and Beans, when they are under the rate of Eight Shillings per Bowle, and exported by the Stranger	-	-	-	-	-	iiij.
And by the Countryman	-	-	-	-	-	ij.
Rye and Meale, when they exceed viijs. per Bowle, and exported by the Stranger	-	-	-	-	-	iiij.
And by the Countryman	-	-	-	-	-	ij.
Rye and Meale when they are under the rate of viijs. per Bowle and exported by the Stranger	-	-	-	-	-	iiij.
And by the Countryman	-	-	-	-	-	ij.
Oates, when it exceeds the rate of vja. per Bowle, and exported by the Stranger	-	-	-	-	-	iiij.
And by the Countryman	-	-	-	-	-	ij.

	s.	d.
Oates, when it is under the Rate of vjs. 'per Bowle, exported by the Stranger	ij.	j.
And by the Countryman	-	-
Deepings, Vide Herring Netts.		
Eggs, the Thousand	vj.	-
Feathers, the Stone, cont. 14 lbs.	iiij.	-
Feather Bedds, new or old, a Peece	xij.	-
Fish, dry, the Hundred	vj.	-
Fish in Mudd, the Barrell	vj.	-
Flesh of all sorts, Vide Beef.		
Flannell to be valued, and for every xxs. worth to pay	vj.	-
Flax, the Stone, cont. 14 lb.	ij.	-
Frizes. Vide Narrow Cloth.		
Geese the Dozen	vj.	-
Gloves of all sorts, the Dozen Pair	ij.	-
Goates, the Dozen	xij.	-
Goate Skins, the Hundred	ij.	-
Goate Skins, the Dozen	iiij.	-
Hatts, the Dozen	iiij.	-
Herrings, the Barrell, per Stranger	ij.	-
" the Barrell, per Countryman	j.	-
" the Mase, per Stranger	j.	-
" the Mase, per Countryman	ob.	-
Honey, the Gallon	ij.	-
Horses, a peece	xij.	-
Henns, the Dozen	ij.	-
Hydes, raw, the Decker, per Stranger	xx	-
And by the Countryman	x.	-
Kelp, the Hundred-weight, cont. 112 lb.	ij.	-
Kidds, the Dozen	vj.	-
Kidd-Skins, the Hundred	xij.	-
Kidd-Skins, the Dozen	ij.	-
Lambes, the Dozen	vj.	-
Lambe-Skins, the Hundred	xij.	-
And for a Dozen of the same	ij.	-
Lead Oare, the Tunn	-	-
Leather, viz., Tanned Leather, the Decker, by the Stranger	iiij.	-
And by the Countryman	ij.	-
Lime Stones, the Tunn	j.	-
Malt, Vide Corne.		
Meale, Vide Corne.		
Netts, called Herring Netts, per pair	ij.	-
Oates, Vide Corne.		
Oyle, called Traine Oyle, per Barrell	vj.	-
Pease, Vide Corne.		
Poundage for either Gold or Silver lycensed to be exported, shall pay for every twenty Shillings	vj.	-
Ropes made of Hair, the Dozen Fathom	j.	-
Raggs, a peece	ij.	-
Eye, Vide Corne.		
Salmon, the Barrell	vj.	-
Sheep, the Dozen	xij.	-
Shoes, for Men and Women, the Dozen pair	vj.	-
Shoes, for Children, the Dozen pair	iiij.	-
Silver exported, Vide P.		
Skins, viz. Sheep and Calf Skins, the Hundred, at Six Score	ij.	-
And for a Dozen of the same	iiij.	-
Slates, the Thousand	iiij.	-

	s.	d.
Stockings, vis. Coarse Stockings, the Doz. pair - - - - -	vj.	
Worsted Stockings, the Doz. pair - - - - -	xij.	
Swine, the Dozen - - - - -	ij.	—
Skins of Rabbits, Vide C.		
Tallow, the Hundred, Cont. 112 lb. by the Stranger - - - - -	viii.	
And by the Countryman - - - - -	vj.	
Tanned Leather, Vide L.		
Ticking for Bedds, the Dozen Yards - - - - -	j ^d .	ob.
Tobacco, the Pound - - - - -	—	
Trayne Oyle, Vide O.		
Wax, called Bees Wax, the Dozen Pounds - - - - -	j.	
Wheate, Vide Corne.		
Woole, the Stone, Cont. 21 lb. per Stranger - - - - -	iiij.	
And by the Countryman - - - - -	ij.	
Yarn of the finest Sorte, the Dozen Pounds - - - - -	vj.	
Yarn of the coarsest Sorte, the Dozen Pounds - - - - -	iiij.	

All other Goods and Merchandises that are not particularly mentioned and rated in this Book are to be valued, and for every Twenty Shillings Worth to pay Sixpence.

Also that all Goods that are to pay Customs according to Value are to be Valued upon Oath by the Merchant, or else to give in his Bills of Parcels, whereby their value may be known.

I do approve of this Book of Rates
Inwards and Outwards.

DERBY.

THE TABLE OF FEES.

TO BE PAID THE WATER BAILIFFS AND CUSTOMERS.

For a Cocquett for a Ship - - - - -	xij.
And for a small boat or Clinser - - - - -	vj.
For making an Entry inwards - - - - -	vj.
For a Lycence outward - - - - -	iiij.
For a Certificate - - - - -	vj.
For a Bond - - - - -	vj.
For a Protest - - - - -	ij., vj.
For making a Post Entry, if admitted - - - - -	iiij.
For executing an arrest against any person. Besides Extraordinary Charges in case it do go round to all Ports of the Island.	vj.

TO THE SEARCHERS.

For attending on board to take an accompt of Loading of Salt, Timber, Coals, and such goods as cannot be brought into the Storehouses per diem - - -	vj.
For securing and looking after Goods that are not fully entered, and admitting to a post entry - - - - -	vj.

I do approve of the Table of Fees within written.

DERBY.

ROYALTIES.

Slates, the Thousand - - - - -	00·9
All Flaggs, under 12 Foot in Biggs, for every Hundred Foot - - - - -	00·9
All Flaggs, cont.: 12 Foot and upwards - - - - -	01·0
Tombstones, a peece - - - - -	00·6
Stones for Tables, a peece - - - - -	00·4

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## INSULA MONÆ.

*At a Tynwald Court holden at St. John's Chappel the 16th Day of May, Anno Domini one thousand seven hundred and thirty-eight, before the Honourable James Murray, Esquire, Governor, the Council, Deemster, and Keyes, now assembled.*

An Act for the Limitation of certain Actions and Claimes for Debt, Trespass, and other Things; for avoiding of Suits in Law.

Whereas by a Statute enacted in the Year of our Lord one thousand six hundred and thirty-seven, the Time of comencing and sueing Actions of Trespass, Actions of Debts without Specialty, of Assaults, Imprisonment, and other personal Actions, was limited to certain Terms, as by the said Statute may fully appear; and the said Statute having by an Ordinance of a Tynwald Court holden the twenty-fourth Day of June Anno Domini one thousand six hundred and sixty-one being put under Suspension with respect to Debts grounded upon lending, dealing betwixt Neighbours for Commodities, or Contracts of any Nature without Specialties, and Publication then made that none should have the Benefit thereof until the Lord of the Isle should be acquainted therewith, to give his Consent for the repealing of the same:—And whereas this Matter hath so rested, and not any Time since fallen under Consideration; and it being observed that great Detriments and Inconveniencys have in Process of Time ensued by Reason of the Inconsistency between the said Statute and Ordinance, and by the Want of a Statute Law in force to regulate and limit all Suits, Plaints, Claims, and Actions, transitory or personal, in the several Courts of this Isle, Spiritual and Temporal, especially with respect to Debts grounded upon Lending, Dealings betwixt Party and Party for Goods and Commodities, and other Contracts and Demands without Specialties, which are commonly sued for at most unreasonable Lengths of Time from the pretended Cause of Suit; and evil-disposed Persons, out of self-interested Designs, taking the Advantage of Survivorship, do often purposely delay such Suites till their Adverse Partys be dead, and then claime and sue the Executors or Administrators in the Spiritual Court, with a View to become Evidences in their own Causes, and recover their pretended Demands by their own Oaths, knowing they cannot then be confronted or detected; which

*Whole act repealed that of 1637.*  
1791 Dec. 4.  
Statute of 1637.  
Ordinance of 1661.

Method of Recoverys being insisted on by Suitors as the accustomed Practice of that Court, some under pretext thereof oftentimes urge their Oathes even against Specialtys in Writing, and others who have eluded the Payment of their Debts, do then in like Manner take the Advantage of acquitting themselves by their own Oaths : All which being strong Temptations to Perjury, destructive of the Rights of Orphans, just Creditors, and others, and tending to the Disquiet and Perplexity of the Courts, Magistrates, and Ministers of Justice, holding Pleas of such Claimes and Actions ; for Remedy of such Prejudices for the Future, be it ordered, ordained, and enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. by and with the Advice and Consent of the said Governor, Council, Deemster, and Keyes of the said Isle, in this present Court assembled, and by the Authority of the same,

Ordinance of  
1661 re-  
pealed.

Limitation of  
Actions.

1. That the said Ordinance of the Tynwald Court, held the twenty-fourth Day of June Anno Domini one thousand six hundred and sixty-one, shall stand absolutely repealed ;

2. And that for the Time to come all Actions of Trespass, or Plaints in Nature of Actions of Trespass, between Neighbours, comitted in or upon each other's Lands, Houses, Grounds, or other Propertys : all Actions, or Plaints in Nature of Acccons, for wrongfull Detention of Goods, Cattle, or Effects ; all Actions, or Plaints in Nature of Actions, for Goods delivered or lost ; all Actions, or Plaints in Nature of Actions, of Accompts, and upon the Case, other than for Accompts current, which concern the Trade of Merchandize, between the Merchants and Traders of this Isle, and Merchants and Traders beyond Sea, their Factors or Servants ; all Actions, or Plaints in Nature of Actions, of Debt, grounded upon any Lending, Contract, or Demand, without Specialty ; all Actions of Deceipt and Cossenage ; all Actions, or Plaints in Nature of Actions, of Assault, Battery, Wounding, or false Imprisonment, or any of them ; and all other Actions transitory or personal, whatsoever, which shall be sued or brought in any of the Temporal Courts of this Isle, or before any Judge or Magistrate of the same, after the making of this Law, shall be comenced and effectually prosecuted within the Time and Limitation hereafter expressed, and not after ; that is to say,

Actions of  
Trespass,  
Debt, &c. to  
be brought

3. The said Actions or Plaints of Trespass, the said Actions or Plaints of Detention, of Debt, Deceipt, and Cossenage, and of Goods delivered or lost, the said Actions or Plaints of Accompts, and upon the Case (except for

slandrous Words), and other such like personal Actions, within two Years next after the making of this Law, or within three Years next after the Cause of such Action, Plaint, or Suit, and at no Time after ;

4. And the said Actions of Assault, Battery, Wounding, Imprisonment, and for slanderous Words, or any of them, within one Year after the making of this Law, or within two Years next after the Cause of such Actions, or Plaints in Nature of any the Actions aforementioned, and at no Time afterwards, any Law, Order, Custome, or Practice to the contrary notwithstanding.

Actions of Assault, Slander, &c. within two Years.

5. Provided nevertheless, and be it further enacted, That if any Person or Persons that is or shall be intituled to any such Actions of Trespass, Detention of Goods delivered or lost, of Accompts, and upon the Case, of Debt, Deceit, Assault, Battery, Wounding, Imprisonment, or Actions upon the Case for slanderous Words, or any other personal Action, be or shall be at the Time of any such Cause of Action given, accrewed, come, or fallen, within the Age of twenty-one Years, under Coverture, *Non compos mentis*, Imprisoned, or beyond the Seas, that then such Person or Persons shall be at Liberty to bring the same Actions, (as others not under such Incapacities might before have done), so as they take the Benefit thereof within such Times, after such their Imperfections are removed, as are hereinbefore limited, and not otherwise :

Infants, Idiots, or Persons beyond Seas, not limited during incapacity or absence.

6. And if any Person against whom lyes any such Cause of Action or Actions, shall at any Time of such Cause of Suit accrewed be beyond Sea, then the Person intituled to such Suit may bring an Action after the Return of such Person, so as he brings the same within such Time after the Return as is respectively before limited by this Act.

Statute not to run as against Deft: off the Island.

7. And be it further ordained and enacted by the Authority aforesaid, That all Claimes and Probates of Claimes hereafter to be entered and made in the Spiritual Court of this Isle, against Executors or Administrators of Decedents, for or on Account of any the Causes of Suit beforementioned, and more especially for Debts and other Demands of what Nature soever without Specialty, shall be entered, prosecuted, and made by Claimers within the Island in one Year, and by Persons beyond Sea within three Years from the Probat of the Will or granting Administration, and at no Time after ; and then the Cognizance of such Claimes so entered to belong to the Temporal Court according to the Statute of Anno one thousand six hundred and sixty-five ;

Claims against Decedants' Estates to be entered within one year.

If Claimant beyond Seas within three Years.



Action on  
claim to be  
brought  
within four  
Years, &c.

8. But that no Decree, Judgment, Order, or Recovery shall at any Time be given, had, or made, by or upon any such Claim or Claimes in the Spiritual Court, nor afterwards in the Temporal Court, but within the Time and Limitation of four Years next after the Cause of such Suit or Claime by or for Island Claimers, and within five Years from the Cause of Suit or Claime by or for Claimers beyond Sea, and not otherwise ;

Other Suits  
against  
Exors within  
two Years.

9. And that all other Suites, Controversies, and Matters of Contention, of what Nature soever, for or against Executors, Administrators, or others, which hereafter shall be sued or brought in the Spiritual Court, shall be commenced and effectually prosecuted within one Year after the making of this Law, or within two Years next after the Cause of Suit, and at no Time afterwards, any Law, Custome, or Practice to the contrary in anywise notwithstanding :

Orphans not  
limited on  
Oath of pre-  
vious igno-  
rance of  
right.

10. Provided nevertheless, that this shall not prejudice Orphans in seeking Restitution of their Goods secured under Pledges in the Hands of Parents, Guardians, or Supervisors, in Manner already directed by Law, nor Executors or Administrators making real Discoverys of the Effects or Credits of Deceadants, to fulfill their Inventories, such Right being still reserved for them to be recovered as formerly accustomed, they making Oath before they shall obtain Process that such Effects or Credits did not before consist with or come to their Knowledge, and that the Delay of timely Prosecution hath not been occasioned by Neglect.

Obligor of  
Bond or Note  
not admitted  
as Evidence.

11. And to prevent litigious Suits and other Inconveniencys, be it further enacted and declared, That it shall not hereafter be lawful for the said Courts or Magistrates, or any of them, to admitt of any Obligor or Party Defendant's Oath as Evidence against any Bill, Bond, Note, or other Specialty in Writing, to acquitt himself from the Payment thereof, otherwise than by a proper Receipt or Discharge for the same, any Custome or Practice to the contrary notwithstanding ;<sup>1</sup>

Lord of Isle  
not to be pre-  
judiced by  
foregoing  
Provisions.

12. Provided always that this Act shall not be construed or understood to intrench upon the Rights or Prerogatives of the Lord of the Isle in any Suit, Plaint, Accon, or Claime, to which he is or may be intitled, the same being reserved and excepted, any Thing hereinbefore contained to the contrary notwithstanding.

In actions  
for Slander,  
Declaration  
within 15  
Days.

13. And be it further enacted, That in all Complaints of slanderous Words, the Party defamed, or any Informer of a Slander, shall be obliged to make a Declaration of the slanderous Words before a proper Judge or Magistrate within fifteen Days after the speaking or uttering of the

<sup>1</sup> Repealed by Evidence Act, 1871.

same, in order to a Prosecution, otherwise such Complaints of Slander not to proceed at any Time afterwards.

|              |                     |
|--------------|---------------------|
|              | J. Murray.          |
|              | Tho. Sodor and Man. |
| Dan. Mylrea. | Cha. Stanley.       |
|              | Jon. Quayle.        |
|              | William Christian.  |

The Keyes.

|                   |                     |
|-------------------|---------------------|
| Tho. Heywood,     | John Christian,     |
| John Wattleworth, | William Qualtrough, |
| Jon. Garrett,     | John Oates,         |
| Jon. Murrey,      | Quayle Curphey,     |
| William Murrey,   | John Moore,         |
| Jon. Taubman,     | Rob. Cæsar,         |
| Tho. Stevenson,   | Richard Tyldesley,  |
| Jon. Christian,   | William Stevenson.  |
| Cha. Killey,      |                     |

*Dunkeld, June 5th, 1738.*

I do allow of and confirm this Act according to my Prerogative within my Isle of Mann, and do order that the said Act be published on the Tynwald Hill according to antient Forme and Custome of the said Isle.

ATHOLL and STRANGE.

*At a Tynwald Court holden at St. John Chappel the 24th Day of June, Anno Dni 1738.*

The beforegoing Act was publickly proclaimed upon the Tynwald Hill according to the antient Forme and Custome of this Isle, as witness our Subscriptions,

|              |                     |
|--------------|---------------------|
|              | J. Murray.          |
| Jon. Kippax. | Tho. Sodor and Man. |
| Cha. Moor.   | Cha. Stanley.       |
| Dan. Mylrea. | John Quayle.        |
|              | William Christian.  |

The Keyes.

|                   |                 |
|-------------------|-----------------|
| Tho. Heywood,     | John Garrett,   |
| John Wattleworth, | Jon. Taubman,   |
| John Murrey,      | Jon. Christian, |

Tho. Stevenson,  
Cha. Killey,  
Jon. Christian,  
Rob. Cæsar.  
William Stevenson,  
Edward Christian,  
William Qualtrough,

Richard Tyldesley,  
Quayle Curphey,  
John Moore,  
Matth. Christian,  
John Lace,  
John Oates.

~~~~~  
INSULA MONÆ.

At a Tynwald Court holden at St. John's Chappel the 24th Day of June, Anno Domini one thousand seven hundred and thirty-eight, before the Honourable James Murray, Esquire, Governor, the Council, Deemster, and Keyes of the said Isle, now assembled.

An Act for the Discouragement of Petty Larceny and other Crimes, by the more speedy sentencing of Delinquents to Punishment.

Petty Lar-
ceny.

Whereas it is observed that the Delay of punishing Delinquents found Guilty by Jurys of Petty Larceny, and other Crimes and Misdemeanors, till the annual Exchequer or Debet Court holden after Michaelmas Term, hath given great Encouragement to such Offenders, who, being under no Restraint from the Time of finding the Verdict till the estreating of their Punishments forth in Charge, after being set down at the said Court, become so insensible of their Crimes that they rather often pursue their enormous Courses to the Prejudice of the Publick, and evil Example of others; be it therefore ordained, declared, and enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. by and with the Advice and Consent of the Governor, Council, Deemsters, and Keyes, in this present Court of Tynwald assembled, and by the Authority of the same,

Offenders to
receive Sen-
tence in one
Month after
Conviction,
and to be
imprisoned in
mean while,
unless re-
mitted by
Governor.

1. That upon the Return of a Verdict or Verdicts against any Offender or Offenders, whereby he, she, or they, shall be left lyable to corporal Punishment for or upon Account of Petty Larceny, or other Offence or Misdemeanor of a criminous Nature, it shall be lawfull for the Court, at any convenient Time within one Month after the Return of the Verdict, to proceed to sentence such Offenders, and to fix and set down their Punishments adequate to the Crimes, as effectually as might heretofore have been done at the said annual Court after Michaelmas, and that such Sentence shall forthwith be put into Execution by issuing a Copy thereof, directed to the Coroner of the Sheading, and the Punishment accordingly inflicted upon the Offender or Offenders, unless the Governor in his Discretion shall, upon Reasons shewn, think fitt to remitt or mitigate the same.

2. And that during these Proceedings, and from the Time the Verdict is found against any Delinquent, he, she, or they, shall be sent to and held in Gaole, and thence from Time to Time taken by the proper Officer to undergo his, her, or their Sentence, until the same be fully performed in Manner aforesaid, any Law, Custome, or Practice to the contrary notwithstanding; provided always that nothing herein contained shall obstruct or hinder the usual Method of Proceeding by Traverses according to the due Course of Law.¹

Jon. Kippax.
Cha. Moor.
Dan. Mylrea.

J. Murray.
Tho. Sodor and Man.
Cha. Stanley.
Jon. Quayle.
William Christian.

The Keyes.

Tho. Heywood,
John Murrey,
Jon. Taubman,
Jon. Christian,
Cha. Killey,
Quayle Curphey,
Jon. Christian,
Tho. Stevenson,
John Lace,

Matth. Christian,
John Oates,
John Moore,
Richard Tyldesley,
William Qualtrough,
John Garrett,
Edward Christian,
William Stevenson,
Robert Cæsar.

¹ Repealed by Criminal Code of 1817.

Edinburgh, January the 8th, 1738-9.

I do allow of and confirm the above Act according to my Prerogative within my Isle of Man, and do order that the said Act be published on the Tynwald Hill according to the antient Form and Custome of the said Isle.

ATHOLL and STRANGE.

At a Tynwald Court holden at St. John's Chappel the 25th June, 1739.

The beforegoing Act was this Day publickly proclaimed upon the Tynwald Hill according to the antient Forme and Custome of this Isle; as witness our Subscriptions,

Jon. Kippax.
Dan. Mylrea.

J. Murray.
Tho. Sodor and Man.
Cha. Stanley.
Jon. Quayle.
William Christian.

The Keyes.

Tho. Heywood,
John Murrey,
Charles Killey,
John Oates,
Jon. Taubman,
Jon. Wattleworth,
Jon. Christian,
Jon. Christian,
Richard Tyldesley,

Quayle Curphey,
William Murrey,
John Lace,
William Qualtrough,
William Stevenson,
Matth. Christian,
Robert Cæsar,
John Moore.

INSULA MONÆ.

At a Tynwald Court holden at St. John's Chappel the 25th Day of June, in the Year of our Lord God one thousand seven hundred and thirty-nine, before the Honourable James Murray, Esq., Governor, the Council, Deemster, and Keyes of this Isle, now assembled.

An Act for the building and repairing of Bridges within this Isle.¹

Whereas the building and repairing of Bridges is found to be not only convenient but absolutely necessary for the publick Advantage and safe Travelling of the People of this Isle in general; be it therefore ordained, declared, and enacted by the Most Noble and Puissant Prince James Duke of Atholl, Baron Strange, Lord of Mann and the Isles, &c. by and with the Advice and Consent of the Governor, Council, Deemster, and Keyes, in this present Tynwald Court assembled, and by the Authority of the same, That with all convenient Speed, and especially as soon as the Fund to be raised and settled by this Act shall enable thereunto, new Bridges shall be built and erected over such Rivers, Streams, and Waters running cross the Highroads of this Isle, at such Places as shall be deemed most necessary and convenient for Travellers and Carriages, in Manner hereafter directed and appointed by this Act; and likewise, that the old Bridges, and also the Chappel of St. John Baptist at the Tynwald, shall be repaired and amended in a sufficient Manner, under the same Direction hereafter mentioned: And, for the raising and establishing of a proper Fund or Supply to carry on so necessary Works, be it ordained and enacted by the Authority aforesaid, That every Man and Woman, Natives of this Isle, of the Age of sixteen Years and upwards, and also every Stranger Man and Woman of the same Age inhabiting here, shall and are hereby obliged to pay to the Persons now to be appointed respectively to collect and receive the same, the Sum of one Penny each Yearly and every Year during the Term hereafter limited by this Act; and that none shall be exempt from the Payment thereof, save only such as shall be found to be decrepit, indigent, or disabled by Poverty, being past sixty Years of Age, and not otherwise, which is to be particularly enquired of and

Bridges.

St. John's
Chapel to be
repaired.

Head Money
of one Penny
per Annum.

¹ Renewed for 21 years by Act of 1753, Chap. 2., but expired.

Overseers of
Parish to
collect.

One Shilling
in the Pound
for collect-
ing.

Act to con-
tinue 14
Years.

Return of
Persons
liable to be
made an-
nually.

Money to be
laid out for
repair of St.
John's Chap-
pel, and of
Bridges.

Sulby Bridge
to be first
built, other
Bridges in
succession.

reported in the annual Accompts returnable by the Collectors hereafter mentioned. And be it further enacted by the Authority aforesaid, That the Overseers of the Highways in the several Parishes of this Isle shall be and are the Collectors nominated, empowered, and appointed by this Act, to levy, collect, and receive the said Penny a-piece Yearly from all and every the said Person or Persons within their respective Parishes as aforesaid, who are to do, perform, and execute that Duty, and all other Dutys, Services, Matters and Things directed and laid down for them by this Act, upon Oath, to be administered unto them by the Deemster at the same Time they are or shall be sworn Overseers of the Highways, and for their Trouble and Encouragement therein are to have and retain to themselves the Sum of one Shilling as allowed them out of and for every twenty Shillings that shall be so collected by them; and that the Time of Collection shall be from the first Day of February to the first Day of May in every Year, the first Collection to begin upon, and so to commence from the first Day of February next after the Promulgation of this Act, and so to continue afterwards for and during the Term and Space of fourteen Years next ensuing the same: And if any Person or Persons shall be refractory, and refuse to pay the said Penny each Yearly upon Demand, at such Times and Places as shall be noticed by the Collector in every Parish, or wilfully absent themselves to evade the Payment thereof, such Offender or Offenders, upon Certificate of the Contempt returned by the Collector of the Parish to the Governor, shall be immediately confined by Execution from the said Governor, until he, she, or they shall submit to pay the same, besides a Fee of Fourpence a-piece to the Soldier or Soldiers that shall commit him, her, or them by such Execution; and if any Native or Stranger, chargeable as aforesaid, shall happen to be out of the Isle at the Time of Collection in any Year, he, she, or they shall be obliged, under the same Restrictions, to pay upon his, her, or their Return. And to the End that this Fund may be the more exactly collected and accounted for, the said Overseers and Collectors, with the Assistance of the Captains of their Parishes, the Coroners of the respective Sheadings, and the four Great Enquest Men in every Parish, shall take a true Account or List in Writing at some convenient Time before the first Day of February in every Year, of the Names of all such Persons in every Parish as are to be charged by this Act, (incerting also the Names of such decrepit, indigent Persons being above sixty Years of Age, as they shall judge unable to pay), and afterwards to set down the Sums as received to every Person's Name; and to lay their Accounts, attested by the Captains, Coroners, and Enquest Men, annually before the Governor, Officers, Deemsters, and Keyes, at the Court of General Gaole Delivery to be held after the first Day of May; and at the same Time to pay in the Money by them severally collected, (exclusive of their own Allowance aforementioned), that the said Accounts may be examined and adjusted by such proper Person or Persons as shall then be commissioned and appointed for that Purpose, and the Money secured, in order to be afterwards applied to, disposed of, and laid out by the said Persons so commissioned and appointed as aforesaid, or by such others as shall or may be commissioned and appointed thereunto, in the building, erecting, amending, and repairing of Bridges, and of the said Chappel of St. John Baptist, as the said Governor, Officers, Deemsters, and Keyes shall from Time to Time think fit to direct and appoint, and in such Manner and Proportions as they shall see most necessary, according to the Intendment of this Act. But in order to prevent any Disputes that may arise concerning the different Places where such Bridges are fitting to be erected, and especially where those Works are to be begun and carried on, be it further declared and enacted by the Authority aforesaid, That as soon as there shall be a proper sufficient Fund raised towards the Purposes aforesaid, and after the necessary Repairs are made and performed upon the old Bridges, now broken, decayed, or insecure, and upon the said Chappel of St. John's, which are hereby intended to be first amended and put in Order, there shall then be a Bridge first built over the River of Sulby, in the Parish of Kirk Christ Lezayre, at and upon the most convenient Part or Place of or near the antient Highway there; and in the second Place another Bridge shall be built over that River called the Great River, in the Parish of Kirk German, between St. John's Chappel and Peeltown, upon the most convenient Part or Place of or near the High Road there; and a third Bridge shall be built over that River between Kirk Malew and Kirk St. Ann upon the Highway between Castletown and Douglas, or some convenient Part or Place near the said Highway; and a fourth Bridge over that River between Ramsey and Kirk Bride and Kirk Andreas, upon the most convenient Part or Place of the Highway there; and a fifth Bridge over that River near Peeltown, between Kirk German and Kirk Patrick, at or near the most convenient Part or Place of the Highway there; all which Bridges are to be so built and erected under the Direction of the Person or Persons to be commissioned, appointed, and intrusted with the Management of the said Works intended to be done pursuant to this Act; and afterwards such other Works of the same Kind to be undertaken and performed as the Governor, Officers, Deemsters, and Keyes shall from Time to Time agree upon and direct, any Thing herein-before contained to the contrary notwithstanding. And be it further enacted by the Authority aforesaid, That whenever or wherever it shall so happen or fall out that any of the said Bridges, or any other Bridge to be afterwards erected pursuant to this Act, cannot conveniently be built upon the antient High Roads leading through any of the said Rivers, Streams, or

Waters, it shall and may be lawfull for the said Person or Persons to be appointed Commissioners or Managers of the Works as aforesaid, to break and lay open convenient and necessary High Roads into and through the Lands adjoining, whether they be Quarterlands or Intacks, Lord's Lands or Barron's Lands, so as to make the said new High Roads lawful and commodious for the Publick to and from the said Bridges or any of them, at the Discretion of the said Commissioners or Managers; and in lieu and consideration thereof, it shall be lawful for the Owner of such Lands not only to enclose the old Highway into his Lands, but likewise to be allowed and paid such further reasonable Satisfaction or Sum of Money as shall be estimated by six honest Men, to be impannelled and sworn as Occasion shall require by the Coroner of the Sheding, by virtue of a Process from the Governor or Deemster out of the Parish or Parishes where the same shall happen; and the said six Men to consider as well of the Quantity and Quality of the old Road as of the Land so taken for a new Road; and if they find the old Road not to be sufficient Satisfaction to the Owner of such Lands, then to allow him further Reparation, to be paid him in Money by the said Managers out of the Fund to be raised by this Act as aforesaid, as it is always intended that such Owner is to have an equivalent: And if any Owner of such Lands, or any in his Behalf, shall resist or be refractory, he or they, upon Certificate of the Contempt from the Overseer of the Work, shall forthwith be confined by Execution from the Governor until he or they shall give Bond to submit, and pay all necessary Charges occasioned by the Contempt; but it is not to be understood that such Confinement shall be any Hindrance or Obstruction to the carrying on of the Work in Manner before mentioned and directed by this Act. And whatever Stones, Gravel, or Sand, shall at any Time be wanting for the carrying on and finishing all or any of the said Works, it shall be lawfull for the said Commissioners, Managers, or Overseers of the Works, to furnish themselves with such Stones, Gravel, and Sand as Occasion shall require, in Manner already directed by one of the explanatory Acts to the Act of Settlement, and by the Act for repairing the Highways within this Isle; always provided, that wherever Satisfaction is by those Acts to be made to the Owners of the Lands where such Necessaries are got, the same is to be made out of the Fund intended to be raised by this Act as aforesaid.

Permission
to open new
Roads to
Bridges.

Satisfaction
to Person
through
whose Land
opened.

Owner of
Land to be
committed
for interrup-
tion until he
give Bond to
submit.

Jon. Kippax.
Dan. Mylrea.
Jo. Cosnahan, V. G.

J. Murray.
Tho. Sodor and Man.
Cha. Stanley.
Jon. Quayle.
William Christian.

The Keyes.

Tho. Heywood,
John Murrey,
Jon. Taubman,
William Murrey,
Jon. Christian,
Jon. Christian,
Cha. Killey,
John Lace,
Robert Cæsar,

Quayle Curphey,
William Stevenson,
William Qualtrough,
Matth. Christian,
John Moore,
John Oates,
Edward Christian,
Richard Tyldesley.

At Castle Rushen, the 18th Day of August, Anno Dni 1739.

I do allow of and confirm the before going Act according to my Prerogative within this Isle, and do order that the same be proclaimed upon the Tynwald Hill according to the antient Form and Custome of my said Isle.

ATHOLL and STRANGE.

At a Tynwald Court holden at St John's Chappel the 1st October, 1739.

The beforegoing Act was this Day publicly proclaimed upon the Tynwald Hill according to the usual Forme and Custome of this Isle; as witness our Subscriptions,

Jon. Kippax.
Dan. Mylrea.
John Cosnahan.

J. Murray.
Tho. Sodor and Man.
Cha. Stanley.
Jon. Quayle.
William Christian.

The Keyes.

Tho. Heywood,
John Murrey,
William Murrey,
Jon. Taubman,
Phil. Moore,
Jon. Christian,
Cha. Killey,
Jon. Christian,
Rob. Caesar,
Tho. Christian,
Edward Christian,

William Stevenson,
William Qualtrough,
Richard Tyldesley,
Quayle Curphey,
John Moore,
Matth. Christian,
John Lace,
John Oates,
John Lucas,
James Moore.

INSULA MONÆ.

At a Tynwald Court held at St. John's Chappel the first Day of October in the Year of our Lord God one thousand seven hundred and thirty-nine, before the Honourable James Murray, Esquire, Governor, the Council, Deemster, and Keyes of the said Isle, now assembled.

An Act for the better collecting and applying of the Fund settled for the repairing of the Sea-Ports and Harbours of this Isle,¹ and for enlarging the Number of Public-house Lycences.

Whereas it is observed that the Fund settled and established by a late Act, intituled, "An Act for the repairing and amending the Sea-Ports and Harbours of this Isle," passed at a Tynwald Court held the sixteenth Day of July, which was in the Year of our Lord one thousand seven hundred and thirty-four, hath not been so duly collected, nor so properly applied to the particular Directions of the said Act as it ought to be, by reason the Collectors of the said Fund, nor the Supervisors intrusted to apply the same and direct the Works, do not act under the Sanction of an Oath or Oaths for the faithful Discharge of their respective Dutys. Be it therefore ordained and enacted by the Most Noble and Puissant Prince James Duke of Atholl, Baron Strange, Lord of Mann and the Isles, &c. by and with the Advice and Consent of the Governor, Council, Deemster and Keys, in this present Court of Tynwald assembled, and by the Authority of the same,

Collectors
and Super-
visors of
Harbours
are to be
sworn an-
nually.

Form of Oath
to Collector.

Form of Oath
to Supervisor.

1. That the said Collectors of the Fund settled by the said Act for repairing and amending the Sea-Ports and Harbours, and also the Supervisors appointed and intrusted with the Management and Application thereof, shall for the future be sworn every Year to execute and discharge their Dutys respectively in the Manner laid down and directed by the said Act; and the Oath or Oaths to be administered unto them by the Comptroller, either at the Tynwald Court, or at any other proper Time and Place he shall think fit to require them thereunto, shall be to the Tenor and Effect following; that is to say, the Oath to be administered unto the Collectors shall be, that they shall truly and carefully from Time to Time levy, collect, and receive the Rates, Dutys, and Tunnage accruing from Ships, Boats, and Merchandizes by the said Harbour Act, to the best of their Power, without Failure or Neglect, and render a just Account thereof, and pay in the Money by them collected, (exclusive of their own Allowance), to the Supervisors of their respective Ports, as often as is needful, or as often as they shall be called upon for the same: And the Oath to be administered unto the Supervisors shall be, that they shall duly and truly discharge their Duty according to the Tenor and Direction of the said Act in every Respect, and call in the Accounts and Money collected pursuant thereto as often as shall be needful and proper to be done, so as not to let the Collectors run in Arrear; and that they shall from Time to Time apply the Produce of the said Collection to carry on proper and necessary Works and Amendments in their Harbours, and always give proper Directions in and about the same, to the best of their Skill and Judgment, and employ proper Workmen in such Works, and provide sufficient and usefull Tools and other Materials at the most reasonable Prices without Favor or Affection, and take Care to secure such Tools and Materials from being carelessly lost, broken, or spoiled, and do every Thing therein to the best Advantage as far as in them lyes, and lay a true State of their Accompts and Proceedings annually before the Governor, Officers, Deemsters, and Keyes, or any Committee by them appointed, for

¹ Renewed together with Act of 1734 for 21 years by Act of 1753, Chap. 4, but repealed by Act of Parliament 11 Geo. III. cap. 52.

the Examination and adjusting of the same. And be it further enacted by the Authority aforesaid, That when any Works are to be made or carried on in any Port or Harbour of the said Isle, the Supervisors of such Port or Harbour shall first consult and take the Opinion and Direction of at least two of the said Committee annually appointed at the Tynwald by the Governor, Officers, Deemsters, and Keyes for the ensuing Year, as to the Necessity and Conveniency thereof, or the Opinion and Direction of the whole Committee, as those two Members shall see Occasion for it, to the End that the Fund may be duly applied, and proper Works done according to the Intendment of this Act, and of the said former Statute provided in that Behalf: And if any Collector or Supervisor shall neglect or refuse at any Time to attend the Committee, or to come to be sworn when thereunto required, he or they so offending shall be forthwith sent for by Soldiers, and stand committed till he or they submit, and pay all Charges occasioned by the Contempt. And be it further enacted by the Authority aforesaid, That no Money shall hereafter be borrowed by the Supervisors of any Port or Harbour of the said Isle pursuant to, or by force or virtue of the said former Statute, without the Approbation and Consent of the Governor, Officers, Deemsters, and Keyes, or at least of the Committee by them appointed from Time to Time as there shall be Occasion for the same, either upon Bond or otherwise howsoever, any Thing contained in the said former Statute to the contrary notwithstanding.—And that all Moneys which shall hereafter be borrowed for that Purpose shall bear six Pounds per Cent. Interest according to Law.

Committee to be consulted when any Works to be carried on.

No Money to be borrowed by Supervisor without consent of Governor, &c.

2. And whereas the Number of Lycences for retailing Liquors, limited by an Act, entitled, "An Act to suppress petty Ale-houses and Tippleing-houses within this Isle," passed at a Tynwald Court holden the sixteenth Day of July which was in the Year of our Lord one thousand seven hundred and thirty-four, is found to be too few, which being in many Respects inconvenient to the Publick; be it therefore enacted by the Authority aforesaid, That the Number of Lycences for selling and retailing Beer, Ale, Wine, and other Liquors for the future, shall be three hundred (at five Score to the Hundred) and no more, any Thing contained in the said Act to the contrary notwithstanding; and the Fee for every Lycence to be the same, and applied to the same Uses, proportionably as is expressed and limited in and by the former Act or Statute aforementioned.¹

Public-house Licences to be augmented to 300.

Jon. Kippax.
Dan. Mylrea.
Jo. Cosnahan, V. G.

J. Murray.
Tho. Sodor and Man.
Cha. Stanley.
John Quayle.
William Christian.

The Keyes.

Tho. Heywood,
Jon. Murrey,
William Murrey,
Jon. Taubman,
Tho. Christian,
Jon. Christian,
Cha. Killey,
Matth. Christian,
Phi. Moore,
John Clucas,

John Christian,
John Oates,
John Moore,
Rob. Caesar,
William Qualtrough,
William Stevenson,
John Lace,
Edward Christian,
James Moore.

London, the 18th Day of March, 1739-40.

I do allow of and confirm the foregoing Act according to my Prerogative within my Isle of Mann, and do order that the said Act be published on the Tynwald Hill according to the antient Forme and Custome of the said Isle.

ATHOLL and STRANGE.

¹ Duties increased by Acts of 1753, Chap. 5, and 1776. Repealed by temporary Act of 1819, Chap. 2, continued by Acts of 1824 and 1827. Repealed by Highway Act of 1830.

At a Tynwald Court holden at St. John's Chappel, the 24th June, 1740.

The foregoing Act was publickly proclaimed upon the Tynwald Hill according to the usual Forme and Custome of this Isle, as witness our Subscriptions,

John Kippax.	J. Murray.
Dan. Mylrea.	Tho. Sodor and Man.
Jon. Taubman,	Cha. Stanley:
John Cosnahan, } Viccars	Jon. Quayle.
Edward Moore, } Generall.	William Christian.

The Keyes.

Tho. Heywood,	Tho. Christian,
John Murrey,	John Christian,
William Murrey,	Charles Killey,
John Christian,	Matth. Christian,
Quayle Curphey,	John Lace,
William Stevenson,	John Moore,
John Oates,	James Moore,
Rob. Caesar,	John Clucas,
Edward Christian,	Richard Tyldesley.
William Qualtrough,	

An Act to regulate and expedite the Proceedings of Grand Enquests, called Long Jurys, and for lycencing Stranger, Pedlars, and Chapmen.

Whereas by a Statute made in the Year of our Lord one thousand seven hundred and thirty-six, it was enacted and provided, That all Grand Jurys of twenty-four Men selected to pass upon and try the Verdicts of Great Enquests, should always give in their Verdicts at the Courts of Gaol Delivery, where the Partys might have an Opportunity to be present to make their Objections, if they had any, in open Court :

Grand Jury Verdicts to be received either at Court of Gaol Delivery or out of Court.

1. And whereas such Grand Jurys finding that their Verdicts are to be received only upon such prefixt Court Days, held but twice in the Year, have hitherto evaded coming to a Determination of the Causes before them by a pretended Disagreement in Opinion, and continuing under Confinement till the Court was over, knowing they must then be released till the next Court, and so on from Court to Court, to the Hindrance of Justice, and great Trouble and Expence of the Partys in Suit; be it therefore enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord of this Isle by and with the Advise and Consent of the Governor, Council, Deemsters and Keye of the said Isle, in this present Court assembled, and by the Authority of the same, That in case any such Grand Jury or Jurys, at any Time hereafter, or that are, now depending, shall not be ready with their Verdict to be delivered in at the Courts of Gaol Delivery as appointed by the said Statute, it shall then be lawful for the Majistrate whose Authority convened them to receive the Verdict or Verdicts out of Court, in the same Forme and Manner as is appointed for other Jurys and Enquests, and to stand committed till they agree upon and deliver their Verdicts as usual in such Cases, any Thing contained in the said Statute to the contrary notwithstanding.¹

Pedlars not to sell without Licence from the Governor for 13 Years.

2. And forasmuch as it is observed that many Pedlars and Chapmen, who are Strangers from other Countrys, have of late Years made it their Trade to come into this Isle, and travel from Place to Place, and House to House, to sell their Goods, and carry off the Produce, which being a Detriment to the Publick, be it therefore further enacted by the Authority aforesaid, That no Pedlar or Chapman, being Strangers, shall, from and after the 29th Day of September next after the Promulgation of this Act, for and during the Term and Space of thirteene Years thence next ensuing the same, be suffered to travel about to sell his or their Goods in this Isle, without the Governor's Lycence first had and obtained for the same, upon Pain of such Pedlars and Chapmen so offending to forfeit the Sum of five Pounds, one Half to the Lord, and the other Half to the Informer, to be levied by Execution from the Court, after Hearing and Proofs made of the Information and Judgment given therein; and that the Oath of the Buyer or Buyers shall be sufficient to convict the Offenders, and the Execution to extend to both their

Penalty of £5 for offending.

¹ Long Juries abolished by Act of 1777, Chap. 6.

Persons and Goods, till Satisfaction be made for the said Forfeiture; and whenever an Information is made, the Person or Persons informed against shall forthwith be held to Bail by Order from the Governor for his or their Appearance to answer the same. And be it further enacted, That when any such Pedlar or Chapman shall move or apply for a Lycence, he shall be obliged, besides the Fee of Sixpence for writing out the Lycence, to pay down the Sum of twenty-four Shillings, to be secured and applied to augment the Fund appropriated by Law for the building and repairing of Bridges, &c. or to such other publick Use for the common Good of the Country, as the Governor, Officers, Deemsters, and Keyes shall from Time to Time see most proper, any Law, Order, or Custome to the contrary hereof in any wise notwithstanding.¹

Twenty-four
Shillings to
be paid for
Licence.

Castle Rushen, the 27th July, 1741.

Dan. Mylrea.
Jon. Taubman.

J. Murray.
Cha. Stanley.
Jon. Quayle.
William Christian.

The Keyes.

Tho. Heywood,
John Murrey,
William Murrey,
John Christian,
William Stevenson,
Tho. Radcliffe,
William Qualtrough,
John Oates,
John Murrey,
Tho. Christian,

Quayle Curphey,
Richard Tyldesley,
John Christian,
Robert Cæsar,
Matth. Christian,
Edward Christian,
Tho. Gawne,
John Moore,
James Moore,
Phi. Moore.

At Dunkeld, the 31st Day of August, 1741.

I do allow of and confirm this Act according to my Prerogative within my Isle of Mann, and do order that the said Act be published on the Tynwald Hill according to antient Forme and Custome of the said Isle.

ATHOLL and STRANGE.

At a Tynwald Court holden at St. John's Chappell the 18th Day of April, Anno Domini 1742.

The before-written Act was this Day publicly proclaimed upon the Tynwald Hill according to the antient Forme and Custome of this Isle; as witness our Subscriptions the Day and Year above written,

Dan. Mylrea.
Jon. Taubman.
Jon. Cosnahan.
Edward Moore.

J. Murray.
Tho. Sodor and Man.
Cha. Stanley.
Jon. Quayle.
William Christian.

The Keyes.

Tho. Heywood,
William Murrey,
Jon. Christian,
Quayle Curphey,
Jon. Christian,
Tho. Christian,
Richard Tyldesley,
John Lace,
Matth. Christian,

William Qualtrough,
James Moore,
Rob. Cæsar,
Edward Christian,
Tho. Radcliffe,
John Moore,
Joan Oates,
Tho. Gawne.

¹ Expired on 29th September 1755.

INSULA MONÆ.

At a Tynwald Court holden at St. John's Chappel the 19th Day of April Anno Domini one thousand seven hundred and forty-two, before the Governor, Council, Deemsters, and Keyes of this Isle.

An Act to enable the Right Reverend Thomas Lord Bishop of this Isle to exchange the Glebe Lands, Vicarage House, Gardens, &c. belonging to the Parish Church of Kirk Braddan, for more comodious Lands near that Church, to be appropriated to the same Use and Purpose.¹

**Recital of
Petition of
Parishioners
to change the
Vicarage
House of
Braddan.**

Whereas the said Lord Bishop hath made Application to this Court, representing that he hath received an humble Petition and Supplication from the Vicar, Churchwardens, and principal Inhabitants of the Parish of Kirk Braddan, setting forth, that the Church House there, by being in a Valley, and standing upon wet springy Ground, is exposed to and annoyed with perpetual unwholesome Damps, vastly pernicious (as Experience hath too much shewn) to several Families, who have been obliged to quit the Place, particularly the Rev. Mr. John Cosnahan, the present Vicar there, who is forced to betake himself and Family to a rented House in Douglas, which is not only expensive, but inconvenient to the Exercise of his parochial Offices; and therefore praying that his Lordship would be pleased, in consideration of the Premises, to take proper Methods for the exchanging of the said Glebe Lands, Vicarage House, and Gardens, for an Equivalent, but more comodious Lands, Part of the Estate of Captain Edward Fletcher, scituated upon a rising Ground near the said Parish Church, which he the said Captain Edward Fletcher hath already agreed to, and the same to be appropriated as a Glebe to the said Church, and a Vicarage House to be erected thereon, with other necessary Conveniencys, for the constant Residence of the Vicars within the Parish; and that his Lordship approving of the Proposal made by the Petitioners, but holding the Premises now appertaining to the Church not to be transmutable without the Authority of an Act of Tynwald empowering him thereunto, so as to be binding on his Successors; and the Court, upon Consideration of what his Lordship and the Petitioners now present, have offered in Favour of the said Petition, being made sensible of the Necessity and Conveniency thereof; may it therefore please the Most Noble Prince James Duke of Atholl, Lord Strange, Lord of Man and the Isles, &c. that it be enacted, and be it accordingly ordered, ordained, and enacted by his Grace, by and with the Advice and Concurrence of the Governor, Council, Deemsters and Keyes, in this present Court assembled, and by the Authority of the same, That it shall be lawful for the said Thomas Lord Bishop of Mann to proceed to convey and give in exchange the said Glebe Lands and Vicarage House, with the Out-houses, Gardens, and their Appurtenances belonging to the said Parish Church of Kirk Braddan, or so much or such a Part of them, or any of them, as his Lordship, with the Advice of the Petitioners, shall see proper and convenient, for an Equivalent in Lands from the said Captain Edward Fletcher, according to the Supplication and Proposal of the said Petitioners, with competent Power and Authority to his Lordship to contract and agree with the said Captain Fletcher for that End and Purpose, and thereupon to perfect sufficient Deeds, Conveyances, and Assurances in Law, for the said Transmutation, and do all Things necessary thereunto so as to make a good Title in and unto the Premises so to be exchanged unto him the said Captain Fletcher, his Heirs and Assigns, for ever; which said Deeds being reciprocally perfected by the Partys, and receiving the Qualifications requisite in Law, shall be effectually binding on his Lordship and his Successors, Bishops of this Diocese, as also upon the said Captain Fletcher and his Heirs, to all Intents and Purposes for ever after; and the exchanged Parcel or Parcels of the said Capt. Fletcher's Estate to be at all Times hereafter appropriated to, reputed, enjoyed, and continued as the Glebe Lands of and belonging to the said Parish Church of Kirk Braddan, and for building a Vicarage House, with other convenient Improvements thereon, in the same Manner and Nature as the present Vicarage House and Glebes have hitherto been, and those to be held in exchange by the said Captain Fletcher and his Heirs, as in any other Part or Parcel of his or their Estate, subject nevertheless to the Conditions and Reserves to be made and agreed on by the Partys in and by the said Deeds according to the intended Design; reserving always the Lord's Rents, Fines, Boons, Suits, Services, and other Rights, Dues, and Dutys, (to be fixed and sufficiently secured by the said Partys to the Approbation of the Governor and Officers in their said Deeds of Exchange) as if this Act had never been made, any Thing herein contained to the contrary notwithstanding.

**Authority to
Lord Bishop
to exchange
Glebe Lands,
&c.**

**Lord's Rents,
&c. reserved.**

Edw. Moore.

Dan. Mylrea.
Jon. Taubman.

J. Murray.
Cha. Stanley.
Jon. Quayle.
William Christian.

¹ Spent.

The Keyes.

Tho. Heywood,
William Murrey,
Tho. Gawne,
Edward Christian,
James Moore,
Jon. Christian,
Jon. Christian,
Matth. Christian,

Tho. Christian,
Richard Tyldesley,
William Qualtrough,
Quayle Curphey,
John Lace,
Jon. Moore,
John Oates,
Tho. Radcliffe.

I do allow of and confirm the above Act according to my Prerogative within my Isle of Man, and do order that the said Act be published on the Tynwald Hill according to antient Form and Custome of the said Isle.

ATHOLL and STRANGE.

~~~~~  
*At a Tynwald Court holden at St. John's Chappel the 24th Day of June, Anno Dni 1742.*

The beforewritten Act was this Day publickly proclaimed upon the Tynwald Hill, according to the antient Forme and Custome of this Isle; as witness our Subscriptions,

Jon. Kippax.  
Dan. Mylrea.  
Edward Moore.

J. Murray.  
Cha. Stanley.  
Jon. Quayle.  
William Christian.

## The Keyes.

Tho. Heywood,  
William Murrey,  
John Christian,  
Tho. Stevenson,  
John Christian,  
William Qualtrough,  
Tho. Christian,  
William Stevenson,  
Tho. Radcliff,

Rob. Caesar,  
James Moore,  
Edward Christian,  
John Oates,  
Quayle Curphey,  
Matth. Christian,  
John Clucas,  
Richard Tyldesley,  
Tho. Gawne,

~~~~~  
To the Right Reverend Father in God Thomas Lord Bishop of Sodor and Mann.

The Petition and humble Representation of the Vicar, Wardens, and principal Inhabitants of the Parish of Kirk Braddan,

Sheweth,

That the Scituation of the Church House in the said Parish being in a low Valley, and exposed to unwholesome Damps, is so uncomfortable to live in that the present Vicar (after a tedious Sickness) was obliged to quit the Place for the Preservation of himself and Family, and to live in a rented House for some Years past, to his great Expence; during which Time there have been several succeeding Dwellers in the said Church House, who, to their Loss of Health, have experienced the unwholesomeness of the said Damps: This is manifestly apparent, and the House is in such a ruinous Condition, that the yearly Reparation thereof must be a growing Burthen to the Vicar: But were the said House habitable, it is most inconvenient to live therein, being there is no more Glebe adjoining to it than a small Garden, and about Half a Daymoth of Hay.

Now whereas Captain Edward Fletcher, upon Application made to him, has out of a good Disposition been so bountifull as to promise five or six Days Plowing of good Arable Land in exchange for the said Church House and Premises; which Land consists of two Crofts, viz. the one called Crot-y-Killip adjoining to Ballamanagh on the South Side, and to William Curghey's Rent on the West; the other Croft, known by the Name of Crot-y-Cottier, adjoining to Thomas Stoale's Rent on the North, and to said Ballamanagh on the East Side; which Crofts are at no more Distance from the Church than 518 Paces, so exactly measured; and the said Captain Fletcher engages

Six days
ploughing of
arable Land
promised
by Capt.
Fletcher for
Glebe.

to pay the Lord's Rent as usual, and to reserve a Stable at the Church for the Minister. We whose Names are subscribed do therefore beg Leave to represent, that if a Church House was built in the said Croit-y-Killip, the same would be for the Benefit of the succeeding Vicars for ever, especially since it is nearer Balla Cretney, the Purchase lately made and endowed by your Lordship for a new Glebe; and we pray your Lordship will please to recommend this to the Legislative Power of this Isle, that a Law may pass for the perfecting thereof.

Your Lordship's good Endeavours towards this publick, pious, and charitable Work, will be a real Blessing, and your Petitioners, as in Duty bound, will for your Lordship's eternal Felicity ever pray.

John Cosnahan, Vicar.
Phi. Moor, Chaplain of Douglas.

Tho. Heywood.
William Murrey.
Phi. Moore.
Phi. Moore, junior.
Jon. Gelling.
Jon. Stole.
John Moore.
Paul Bridson.

Robert Kermott.
Ewan Killey, his +.
Robert Lewn, his +.
Robert Killey, his +.
Phill. Higgins.
Christopher Fitzsimons.

} Wardena.

Bishop and
Vicar agree
to build
Vicarage
House
within two
Years from
passing of
Act.

We, Thomas Lord Bishop of Sodor and Mann, and John Cosnahan, Vicar of Kirk Braddan, do promise and hereby oblige ourselves, our Executors, Administrators, and Assigns, that we will, within two Years next after that the Legislative Power of this Isle have agreed to and approved of the Proposals mentioned in the within Representation, build a Vicarage House upon the Premises of the same Dimensions with the new Church House of Kirk Lonnon, at our own proper Cost and Charges, the Expences of the Vicar's Part to be laid out herein according to the Law provided in that Behalf. Given under our Hands this 13th Day of November, 1741.

Tho. Sodor and Man.
John Cosnahan.

At Bishop's Court, March 24th, 1741.

I, John Cosnahan, Vicar of Kirk Braddan, do hereby acknowledge to have received the Sum of fifteen Pounds at and from the Hands of the Right Reverend the Lord Bishop, being the Sum contributed by his Lordship towards the building the new Vicarage House, and do promise and oblige myself to build and finish the said Vicarage House according to the above Demensions, and in pursuance of the Law provided in that Behalf.

John Cosnahan.

An Act to prevent Champarty,¹

Passed at a Tynwald Court holden at St. John's Chappel, in the Isle of Mann, the 7th Day of November, in the Year of our Lord one thousand seven hundred and forty-seven, before the Hon. Patrick Lindesay, Esq., Governor, the Council, Deemsters, and 24 Keyes of the said Isle.

For the Discouragement of Law-Suits which are or may be fomented and carried on within this Isle by Champarty, be it enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. the Governor, Council, Deemsters, and Keyes in this present Court assembled, and by the Authority of the same, That from henceforth no Pleader, Attorney, Solicitor, or other Person, shall take up, move, or maintain any Plea, Cause, or Suit in any of the Courts of the said Isle, or before any Judge or Magistrate thereof by way of Champarty; that is to say, by making any Bargain, Contract, or Agreement before Hand, or during the Plea,

Attorney not
to prosecute
any Suit by

¹ Expired.

to have Part of the Land or Profits of the Land in variance, or Part of Debt or other Thing in Suit, or any Reward thereof, either by their own Procurement, or by others, nor to carry on such Suit or Plea at his or their own proper Cost upon the Event of the Cause; and if any do, and be thereof lawfully convicted, he or they so offending shall be fined and imprisoned, and be declared incapable of practising in the Law at any Time afterwards; and if the Champartors shall happen to be discovered upon the Hearing or Trial of any Cause or Suit, the Judge before whom it is depending shall remit him or them over to be tried; and all Trials for Champarty shall be by Procedure by a Jury, as in other criminous Offences, according to the due Course of Law; and the Prosecution may be commenced and carried on either at the Lord's Suit by the Attorney General, or by the Party agrieved: Provided always, that this Act shall not be understood to prohibit or restrain the Assistance of Parents, or near Relations or Friends, to any Party in Suit; and that a Grant or Bargain made to have Part of the Thing in Demand when recovered to satisfy a just Debt, or other Thing justly owing, shall not be deemed Champarty within the Intendment thereof: Provided also, and be it further enacted by the Authority aforesaid, That any poor Person or Persons (destitute of Relations and Friends to yield such Assistance) who hereafter shall have Cause of Action or Accions against any Person or Persons within this Isle, shall, upon Application to the Court or Judge before whom the Suit depends, or is to be commenced, and making Oath that he or they is not worth five Pounds after his or their Debts paid, be allowed to employ an Attorney or Attorneys, who will undertake his or their Cause or Suit, to manage, solicit, plead, defend, and carry on the same through the Course of Law; which Attorney or Attorneys shall be allowed to lay out and expend his or their own Money as necessary in the Prosecution thereof, to be repaid upon the Event of the Cause; and for their Indemnification therein, and to recompence him or them for his or their Fees, Trouble, and Expences, such Court or Judge, upon the Request of such poor Person or Persons, is hereby authorized and empowered to grant him or them Liberty to give and make such Attorney or Attorneys Security upon the Estate, Houses, Lands, Goods, Chattels, or Effects in Issue, or to be sued for, either by Sale, Mortgage, or Assignment, to such Extent or Amount as such Court or Judge shall see reasonable; and such Deeds or Assignments so made shall receive the necessary Qualifications and Formalitys of Law, and shall both in Law and Equity effectually work upon the Estate or Thing in Question when the same shall be recovered, or finally determined in his or their Client's Favour, any Thing hereinbefore contained to the contrary notwithstanding: Provided always, that it is hereby enacted, that this Act shall continue and be in Force for the Space of three Years, to be reckoned from the Day of the Publication thereof, and from thence to the next Court of General Gaol Delivery to be held after, and from that Time for two Months afterwards and no longer.

way of Cham-
party.
Penalty.

Prosecution
by Attorney
General.

Relations or
Friends may
assist poor
Persons.

Court may
appoint At-
torney to
plead for
Paupers, &c.

Who may
grant Secu-
rity on Lands,
&c. to indem-
nify Attorney
for Costs.

Dan. Mylrea.
Jon. Taubman.

P. Lindesay.
Cha. Stanley.
Jon. Quayle.
William Christian.

The Keyes.

Tho. Heywood,
John Wattleworth,
William Murrey,
Quayle Curphey,
John Frissell,
Jon. Christian,
Thomas Gawne,
John Christian,
Tho. Christian,
Matth. Christian,
William Qualtrough,

William Stevenson,
Richard Tyldesley.
John Moore,
John Lucas,
John Oates,
James Moore,
Edward Christian,
Tho. Radcliffe,
William Cubbon,
Dan. Lacey.

London, the 15th Day of December, 1747.

I do allow of and confirm this Act according to my Prerogative within my Isle of Mann, and do ordain that the said Act be proclaimed upon the Tynwald Hill according to antient Forme and Custome of the said Isle.

ATHOLL and STRANGE.

At a Tynwald Court holden at St. John's Chappel, the 24th Day of June, 1748.

The beforewritten Act was this day published and proclaimed upon the Tynwald Hill according to the antient Forme and Custome of this Isle, as witness our Subscriptions,

Edw. Moore.
Rob. Radcliffe.

Dan. Mylrea.
Jon. Taubman.

P. Lindesay.
Jon. Quayle.
William Christian.

The 24 Keyes.

Tho. Heywood,
William Cubbon,
William Murrey,
John Christian,
Tho. Christian,
John Christian,
Matth. Christian,
Dan Lace,
Quayle Curphey,
Phi. Moore,

William Stevenson,
Tho. Radcliffe,
William Qualtrough,
John Oates,
John Moore,
James Moore,
Richard Tyldesley,
John Clucas,
Tho. Gawne,
Edward Christian.

INSULA MONÆ.

At a Tynwald Court holden at St. John's Chappel, in the Parish of Kirk German, the 7th Day of November, in the Year of our Lord God one thousand seven hundred and forty-seven, before the Hon. Patrick Lindesay, Esquire, Governor of this Isle, the Council, Deemsters, and twenty-four Keyes of the said Isle.

CHAPTER I.

An Act to establish the Deemsters Fees for Tokens and Charges to Witnesses, &c.¹

Whereas it is observed that litious Suits in Law have of late Years greatly increased within this Isle, especially before the Deemsters prosecuted generally upon trivial Occasions, and often without other Cause of Suit than to gratify revengeful Dispositions, whereby many peaceable and well-disposed Persons are frequently troubled, Idleness encouraged, Industry neglected, and both the Magistrate and People perplexed and disquieted; and it being manifest that these publick Prejudices and Propensity to Litigiousness arise chiefly from the Cheapness of the present Law Fees, and the Want of proper Fees being allowed on the Deemster's Processes and Charges to Witnesses; be it therefore ordained and enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. the Governor, Counsel, Deemsters, and Keyes, now in this present Court assembled, and by the Authority of the same,

1. That from and after the Day of the Publication of this Act, for and during the Term hereafter mentioned and limited, the Perquisites or Customes heretofore paid and payable to the Deemsters about Allhallow Tide or Christmas, in lieu of their Token Fees, usually collected by a Number of People called the Bonnock, or by the Lockman of the Parishes, or others, shall cease; and that in Place thereof, whenever any Person or Persons shall apply for and obtain a Token or Process from either of the Deemsters in any Cause littedated between Party and Party, either before themselves, or in any Procedure by Jurys or Enquests, or otherwise, (the Lord's Causes always excepted), he or they shall be obliged to pay such Deemster in every such Cause the Fee of Twopence for the same, and likewise Twopence for every Presentment.

2. And whereas the Statute made in the Year of our Lord one thousand six hundred and sixty-seven, touching Charges to Witnesses, doth not in these Days answer the End thereby intended, when the Trouble of Witnesses hath encreased with the Number of Suits, be it therefore further enacted by the Authority aforesaid, That the said Statute for the Term of this Act shall stand suspended, and that Witnesses shall have their Charges allowed them, (save in the Lord's Causes) in Manner following; that is to say,

3. Every Person in the Degree of a Gentleman or Gentlewoman, that shall hereafter be charged as a Witness before any Court, Magistrate, or Minister of Justice whatsoever,

Bonnock Fees
abolished.
2d. for Token.
2d. for Pre-
sentment.
Statute of
1667 respect-
ing Wit-
nesses'
Wages sus-
pended.
Gentleman.

¹ Expired.

within this Isle, holding Pleas of Contention, in any Cause or Suit between Party and Party, shall upon Appearance have and be allowed for his or their Trouble and Charges Sixpence for every Parish through or in which he or she shall be obliged to travel, provided that the whole Allowance shall not exceed two Shillings and Sixpence;

4. And every Person in the Degree of a Tradesman being charged, shall upon Appearance be allowed for Loss of Time Eightpence, besides Twopence for every Parish he shall be obliged to come through in like Manner, provided the Whole shall not exceed one Shilling and Sixpence; and every Woman in the same Degree Twopence for every Parish as aforesaid:

Tradesman.

5. And every labouring Man appearing upon Charge shall have Fourpence for his Loss of Time, besides a Penny for every Parish through which he shall be obliged to come; and every Woman of that Degree Twopence a Parish as aforesaid:

Labourer.

6. And to avoid Disputes in point of Distinction, the Degrees or Denominations of the Witnesses shall be regulated by and at the Discretion of the Court or Magistrate before whom the Cause depends, and the Charges levied and paid them respectively by the Party or Partys in whose Suit he, she, or they shall be summoned or charged, by immediate Execution from such Court or Magistrate before whom they appear, by way of Pawn, according to the due Course of Law, or by Order of Commitment where the Nature of the Process by the Rules of the Court doth so require it.

7. And be it further enacted and provided, That whenever any Defendant shall happen to be cast in any Cause or Suit depending before any the Courts, Judges, or Magistrates aforesaid, it shall be lawful for such Court, Judge, or Magistrate, to award Execution to the Plaintiff against the Defendant for the Witnesses Charges and Allowance aforesaid, as it shall also be for the Deemsters to grant the like Execution for their Token, Fees, and Presentments, before allowed by this Act, along with the subject Matter or Thing in Issue, or otherwise, as the Nature of the Case shall require, without further Suit or Action; or if the Defendant shall incur a Contempt by Non-appearance, it shall subject him to the Plaintiff for the Witnesses Charges thereby occasioned, any former Custome or Practice to the contrary notwithstanding:

Execution to be granted for Fees and Charges.

8. Provided also, That if any Default shall fall out by the Non-appearance of any Juryman or Enquestman, Witness or Witnesses, in any Cause or Suit in Contention as aforesaid, whereby such Cause or Suit cannot that Day proceed or be determined without them, such Juryman, Enquestman, Witness or Witnesses, unless some lawfull Cause or Impediment, approved of by the Court or Magistrate, be shewn, so as to stop the taking of a Presentment, shall also be obliged by the like immediate Execution to pay the Partys, Jury, Enquest, and other Witnesses, all their Charges occasioned by such Contempt, to be regulated as in the Case of Witnesses at the Discretion of the Magistrate in Manner before mentioned in this Act;

Juror, or Witness, not attending Presented.

9. Provided always, that it is hereby enacted that this Act shall continue and be in force for the Space of three Years, to be reckoned from the Day of the Publication thereof; and from thence to the next Court of General Gaol Delivery to be held after and from that Time for two Months afterwards, and no longer.

Persons presented to pay Cost of Day. Act to be in force 3 Years.

Note, The Words (and Presentments) were above interlined before Signing.

CHAPTER II.

An Act for the better preventing of Petty Larceny and Trespass.¹

Whereas the secret committing of Petty Larcenys and Trespases is become a general Grievance of this Country by the Suspension of that laudable Practice of Proceeding in the first Instance, to discover the Offenders by Jurys of Enquiry, be it therefore enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. the Governor, Council, Deemsters, and Keyes, in this present Court of Tynwald assembled, and by the Authority of the same,

1. That for and during the Term and Limitation of this Act, in all Complaints of Petty Larceny and Trespass clandestinely committed by Persons, Horses, Sheep, or other Cattle unknown, and so given upon Oath by the Party complaining, it shall be lawful for the Governor, Deemsters, or other Magistrates of this Isle, who have Jurisdiction of Enquiries, as it appertains unto them in their several Stations, to grant the said Party injured a Process to the proper Officer for a Jury of Enquiry, to enquire of and discover the Offender or Offenders who did the Fact complained of, by Examinations upon Oath in manner following; that is to say, Upon such Complaints of Petty Larceny, in all Things left to the Valuation of a Jury, by the Statute made in the Year of our Lord one thousand six hundred and twenty-nine, and other Instances of such like Nature, the Method of Proceeding shall be, and shall be understood to be, that all suspected Persons and others who shall be summoned to the Jury of Enquiry (which in that Case is to consist of six Men) shall be examined upon Oath, and shall be obliged to give their

Jury of Enquiry in case of Petty Larceny and Trespass.

To consist of 6 Men.

¹ Expired.

Oaths, in relation to the committing of the Fact enquired of, either by themselves or others;

Persons refusing to acquit themselves on Oath to be held guilty of Fact. If on Enquiry it appear, Grand Larceny Jury to indict.

In cases of Trespass, Parties suspected to give their Oaths.

20s. Fine for cutting a Tree.
10s. for every other secret Damage, above four-fold Damage.

Damages recoverable by Execution.

Fodder Jury.

£3 Fine on Coroner for not swearing Fodder Jury.

Act to continue 3 Years.

Farmers to give account of Cattle.

2. And if any Person or Persons (conscious of his or their own Guilt) shall wilfully refuse to give such Satisfaction upon Oath for the Discovery of the Offenders, he or they so refusing shall be held as guilty of the Fact; or if the Larceny upon the Enquiry shall happen to be found by the Jury, in either Case they shall Verdict, and leave the Offender or Offenders to be fined and punished at the Discretion of the Court:

3. Provided always, and be it further enacted, That if the Larceny in Question shall appear or turn out to be Grand Larceny, to the Amount of Sixpence Halfpenny by the Valuation of the Jury, the same Jury shall then proceed by way of Inquisition for Felony, and upon Proof, Confession, strong Presumption, or Suspicion, supported by good and prevailing Circumstances, shall indict the Offenders according to the common Course of Law, and the Oath at first given them shall be to the Tenor, Effect, and Purpose of this Act, any Thing contained in the said Statute of the Year one thousand six hundred and twenty-nine, or any other Law or Custome to the contrary notwithstanding.

4. And in Complaints of Trespass of the Nature aforesaid, all suspected Persons and others, and all Owners of Horses, Sheep, and other Cattle, summoned or charged to the Jury of Enquiry, (which in that Case is to consist of four Men), shall and are hereby obliged to give their Oaths in like Manner for the Discovery of the Trespassers who committed the Trespass complained of, whether it be by themselves or others, or by their own Horses, Sheep, or Cattle, or those of others; and if any refuse, he or they so refusing shall be deemed guilty thereof; or if the Trespass be found by the Jury, they shall verdict; and in either Case leave the Offenders to the Discretion of the Court, to be fined with Damages of four Times the Value to the Party injured, estimating the same to the full Worth at their Peril;

5. Provided, that if the Complaint be for cutting, spoiling, or destroying any Tree, or Plantation of Trees, or any Set, Plant, or Graft, or for throwing down or breaking into Inclosures with their Cattle, Horses, or other Goods, in the Night Time, or such like wilful, secret, and unconscionable Trespasses, the Offender or Offenders in those Cases shall not only incur a severe Fine to the Lord, but shall also for every Tree, Set, Plant, or Graft so cut, spoiled, or destroyed, pay the Party injured twenty Shillings for extraordinary Damage, and ten Shillings Damage extraordinary for every such other wilful and clandestine Trespass as aforesaid, over and besides the fourfold Damages above mentioned;

6. Provided also, That all Persons who shall maim, or otherwise maliciously hurt Cattle, or such like Goods, shall still be proceeded against according to the Statute made in the Year of our Lord one thousand six hundred and seventy-three; but with this Alteration, that fourfold Damages shall be given as above directed by this Act, the said Statute or any Custome to the contrary notwithstanding.

7. And be it further enacted by the Authority aforesaid, That all and every the Damages beforementioned shall be recoverable by Execution from the Judge, Court, or Magistrate concerned, upon Sight of a Copy of the Verdict from Record, and levied by way of Distress of the Goods and Chattles of the Offenders, without further Suit or Action; provided nevertheless, that any Person finding himself aggrieved may be allowed to traverse such Jury's Verdicts according to the accustomed Course of Proceeding in such Cases.

8. And whereas it is observed that the Coroners of this Isle have for many Years past neglected to swear in Fodder Jurys yearly within their respective Sheadings, according to the Appointment of a Statute made in the Year of our Lord one thousand six hundred and ninety-one, whereby the good Intent of the said Statute is frustrated, and Trespasses become unsufferable; to remedy which, and for the more effectual Discouragement of Trespass, be it further enacted by the Authority aforesaid, That if any Coroner shall hereafter refuse or neglect to impanel and swear in a Fodder Jury in every Parish within his Sheading yearly, upon the twenty-fifth Day of March as directed by the said Statute, upon Complaint made or Knowledge given thereof to the Court, such Coroner shall be fined in three Pounds to the Lord; and that the Fodder Jurys so sworn shall strictly proceed and do their Duty under the Penalties prescribed by the said Statute, and that *ex officio*:

9. Provided always that it is hereby enacted, That this Act shall continue and be of force for the Space of three Years, to be reckoned from the Day of the Publication thereof, and from thence to the next Court of Generall Gaol Delivery to be held after and from that Time for two Months afterwards, and no longer.

10. And it is further provided and enacted, That hereafter the Farmers shall be included and proceeded against in the same Manner as the Intack and Cottageholders, and all of them to give an exact Account of their Cattle, Horses, and Sheep to the Fodder Jury, on Penalty of three Pounds for every Default or Neglect; and this to continue for the same Time.

CHAPTER III.

An Act to settle and ascertain the Fees belonging to the Officers of the Spiritual Courts of this Isle.¹

THE TABLE.

For proving a Person's Will -	xijd.
For writing the Probate -	ijd.
But for a poor Person's Will to pay only -	iiijd.
For granting a Decree of Administration of Intestate's Goods -	iijs. iiijd.
But for granting a Decree of Administration of a poor Intestate's Goods only -	xijd.
For granting and writing a Decree of Administration of a Minor's Goods -	vjd.
For a Reference to a Petition -	vjd.
For writing an Agreement between Partys in Court -	vjd.
For writing the Consent of a Husband to a Wife's Will, or a Wife's Consent to a Husband's Will on the Probate -	vjd.
For every Deposition taken in Writing upon a Hearing -	iiijd.
For registering an Inventory of Deceadant's Goods, without any Allowance for Additions afterwards made thereto -	iiijd.
For entering a Claim ijd. a Copy thereof ijd. -	iiijd.
And for a fresh Copy from the Registry, with the Order thereon, to be put in Execution -	vjd.
For crossing the Name of a Person presented by the Wardens and Quest Men -	ijd.
For writing a Discharge on the Registry to an Executor, Administrator, or Guardian -	ijd.
For a Certificate and Order on Contempts as Ψ Statute of Anno 1736 -	vjd. ²
For a Copy of every Will and Probate, Inventory, Decree of Administration, or other contained, according to the common Way of Writing, within one Side of an Half Sheet of Paper -	vjd.
And if any of them exceeds that Length, then to have for every twenty four Words -	ob.
And for every other Copy whatsoever from either Registry, not herein before mentioned and set down, to have for every 24 Words -	ob.
That all their Orders, Sentences, and Decrees, made in Causes of Contention between Party and Party be always registered, that the Partys may have recourse thither for Copys, upon paying for the same as above.	
For every Lycence for Marriage -	iijs. iiijd.

Be it ordained and enacted by the Most Noble Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. the Governor, Council, Deemsters, and Keys, of the said Isle, in this present Court of Tynwald assembled, and by the Authority of the same, That the before written Table of Fees doth contain, and shall be the standing Fees and Perquisites belonging to, and hereafter payable to the Officers of the Spiritual Courts of this Isle; and that no other or further Fees shall be taken or received by them, or any of them, but what are in the said Table contained and mentioned, any former Custome or Practice to the contrary notwithstanding.

Spiritual
Court Fees.

CHAPTER IV.

An Act to repeal or discontinue the Laws touching Yarded Servants.³

For the Freedome of Servants from Yarding, be it ordained and enacted by the Most Noble Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. the Governor, Council, Deemsters, and Keyes, in this present Court of Tynwald assembled, and by the Authority of the

Yarding Ser-
vants re-
pealed.

¹ Repealed by Act of 1813, Chap. II.

² Reduced by Act of 1763, sec. 22.

³ Expired, but revived and made perpetual by Statute of 1777, Chap. I.

same, That the Customary Laws incerted in the Statute Book, and the Acts made in the Year of our Lord one thousand six hundred and sixty-two, touching the Privillidge of the Deemsters, Moars, Coroners, and Sergeants of Barronys, within this Isle, of obtaining Servants by the Yard yearly at Allhollowtide and May, are and shall hereby stand repealed and discontinued, and the said Officers Privillidge cease for the Term and Space of three Years, to be reckoned from the Day of the Publication of this Act, and from thence to the next Court of Generall Gaol Delivery to be held after and from that Time for two Months afterwards, and no longer, the said Laws or any other Law or Statute notwithstanding.

CHAPTER V.

An Act for the better Defence of the Island and more effectual Preservation of the Lord's Game.

Fire Arms.

Whereas it is represented by the Keyes of this Isle, that the Inhabitants thereof are generally willing and desirous to purchase Arms for themselves, and each to keep a Firelock in his House always in good Order and fit for Service, with a Request that they may pass to their Heirs instead of the Corbes now due by Law; which Proposal, under a Restriction for Preservation of the Lord's Game, being held reasonable and approved of, be it therefore enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. the Governor, Council, Deemsters, and Keyes of the said Isle, in this present Court assembled, and by the Authority of the same,

Landholder
and House-
keeper, being
Protestants,
may keep
Fire Arms.

1. That from henceforth it shall be lawfull for every Landholder, and other Housekeepers within this Isle, being Protestants, to purchase themselves Arms as requested, and each to keep a Firelock as well for the Protection of their own Houses and Familys, as for the Service and Defence of their Country upon all emergent Occasions; provided they always keep them clean and in good order at the Sight of the Captains of the respective Parishes and Towns in their several Divisions, who for that End and Purpose are to call them forth with their Arms at least four Times in the Year, and report their Condition to the Governor;

Arms to
descend to
Heir as
Corbes.

2. And that the said Arms shall go and descend to their Heirs and Assigns in place of the antient Weapons of War called Corbes, mentioned in the Statute¹ provided in that

¹ See 1819, p. 7.

Behalf, and be deemed full Recompence and Satisfaction for the same, the said Statute notwithstanding :

3. But that the Liberty granted by this Act may not prejudice the Lord's Game, be it further enacted by the Authority aforesaid, That none shall hereafter presume to carry about a Gun to fowle or shoot, kill or destroy the Lord's Game, without the Governor's Licence in writing first had for the same, upon Pain of forfeiting three Pounds, one Half to the Lord, and the other Half to the Person or Persons informing against or presenting the Offence, in Manner hereafter directed by this Act.

Fire Arms
not to be used
for shooting
Lord's Game.
Fine £3.

4. And for the better Discovery of such as shall transgress herein, be it further enacted by the Authority aforesaid, That the Method of Proceeding upon this Act shall be by Information upon Oath or Presentment made unto the Court by a Jury of Enquiry of four Men, to be impannelled and sworn in every Parish yearly after Midsomer by the respective Coroners, to enquire of and jointly or severally to make Presentments in the Premises as Occasion shall require, in which they shall use their utmost Diligence, as they will avoid a Fine of five Shillings apiece for every Default or Neglect ; and that the Coroners and Lockman are also hereby obliged to enquire of and make Informations or Presentments against Contemnors of this Act ; and if any of them shall be found to fail therein, they shall be fined at the Court's Discretion for every Default or Neglect.

Proceeding to
be by Informa-
tion or
Presentment.

Information
to be made by
any Person.

5. And further, That it shall be lawfull for all other Persons as well as those already mentioned, to make Informations on this Act ; and that upon every such Information, upon Oath or Presentment made, the Offender or Offenders, being first heard, shall be condemned by the Judgment of the Court in the Penalty aforesaid ; and that the Jury of Enquiry, or any of them presenting, or any Coroner or Lockman obliged to give Informations or make Presentments as aforesaid, shall be intituled to the Moiety of the Forfeiture, as any private Person should or could be by virtue of this Act, any former Law, Custome, or Practice to the contrary notwithstanding ;

Informers to
receive
Moiety of
Fine.

6. And that none shall carry about their Guns to shoot Pidgeons, Patridges, or Growse, under the Penalty of twenty Shillings, one Half to the Lord and the other to the Informer, upon Proof or Presentment thereof made in Manner before-mentioned.¹

Fine for
shooting
Game.

CHAPTER VI.

An Act to alter the Forrester's Day of going forth to clipp Sheep in the Forrest, and to allow the Coroners and Sergeants of Barronys Poundage out of Pawn Goods, &c.

Whereas by a declarative Law set down and entered in the Book of Statutes in the Year of our Lord one thousand five hundred and seventy, the Forrester of this Isle is allowed, after blowing his Horn on St. Columb's Eve and ranging the Forrest, to go forth on the third Day with his Company to seek for unshorn Sheep, and to clipp them for his own use, &c. ; and it having been complained of for several Years past that the Forrester's going out to clipp Sheep on the Commons so early in the Summer is a general Prejudice to the Owners of Sheep, and that Matter being now so represented by the xxiii^j Keyes, be it therefore enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c., the Governor, Councel, Deemsters, and Keyes, in this present Court of Tynwald assembled, and by the Authority of the same, That that Part of the said Law, as to the Forresters going forth on the third Day after St. Columb's Eve, shall be and is hereby repealed ; and that hereafter it shall not be lawfull for the Forrester to go forth to clipp such Sheep on the Commons as his Perquisite till the twenty-first Day of June in every Year, the said declarative Law notwithstanding.²

Clipping
Sheep by
Forester,

not to com-
mence till
21st June in
each year.

And whereas the Coroners and Sergeants of Barronys within this Isle have of late Years by the Littigiousness of the People and the Intercourse of Strangers been put to extraordinary Trouble and Charges in the selling of Pawn Goods by Executions at Publick Cant, and others by Orders of Chancery, without proper Allowance for the same, to recompence which, for the Time to come, be it enacted by the Authority aforesaid, That (over and besides the usual Fees) whenever any Coroner, Lockman, or Sergeant, shall hereafter sell Pawn Goods by virtue of any Decree or Execution whatsoever

Coroners to
receive 1s. in
the Pound for
selling Goods
under Execu-
tion.

¹ Repealed by Game Act of 1835.

² Commons disafforested and office of Forrester abolished by Act of 1860.

upon Publick Cant or Auction, he shall have and be allowed for his extraordinary Trouble, loss of Time and Expences, one Shilling out of every Pound, to be retained out of the Debtor's Goods which had been taken in Pawn, exclusive of the Creditor's Debt, and the former Fees and all other Charges attending it; which Poundage is to be regulated by the Debt in Execution; and in like Manner when Goods are sold by an interlocutory Order of Chancery upon Publick Auction by any of the said Officers, he shall also be intitled to have and retain the same Allowance of one Shilling for every Pound out of the Produce thereof, any former Law, Custome, or Practice to the contrary notwithstanding.¹

CHAPTER VII.

An Act to lay an additional Duty upon English and Irish Ale, and to repeal the Statute prohibiting the Importation of Malt.²

Ale.

Whereas the Importation of Ale at the Rate or Duty of two Shillings and Sixpence the Barrell by the Book of Rates is found to be greatly prejudicial to the Landed Interest within this Isle, be it therefore enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. the Governor, Councell, Deemsters, and Keyes, in this present Court assembled, and by the Authority of the same,

Duty on Ale imported.

1. That hereafter all Ale imported from Great Britain or Ireland shall pay seven Shillings the Barrell Duty to the Lord, any Thing contained in the said Book of Rates to the contrary notwithstanding;

Duty on Ale imported for Exportation only.

2. Provided nevertheless that Ale imported hither for Exportation to other Countrys abroad shall be allowed to come in at the old Duty of two Shillings and Sixpence the Barrell, the Importer giving Bond to the Collector of the Customs that it shall not be sold in the Island, but that he will again export the same within six Months, or in Default pay the Duty of seven Shillings per Barrell according to the Purport of this Act, and the Barrell to contain thirty-six Gallons.

Malt.

3. And whereas by a Statute made in the Year of our Lord one thousand seven hundred and thirty-six, it was enacted that Malt should not thenceafter be allowed to be imported into this Isle, but that the same should stand prohibited to all Intents and Purposes whatsoever; but it being now observed that sundry Inconveniencies may arise upon the said Prohibition, be it therefore enacted by the Authority aforesaid, That the said Statute shall from henceforth be repealed, and the same is hereby repealed to all Intents and Purposes whatsoever;

Duty on Malt imported.

4. And that for the future Malt shall be allowed to be imported and entered in this Isle upon paying seven Shillings and Sixpence Duty to the Lord for every Bowle that shall be imported, the said prohibitory Statute notwithstanding;

Apples and Pears.

5. And that Apples and Pears shall not hereafter be imported or entered under Threepence the hundred Duty to the Lord, the Duty chargeable on them by the Book of Rates included.

CHAPTER VIII.

An Act to prevent false Arreasts by the Waterbayliff's Authority.

Water Bailiffs, arrest for Debt.

Whereas Complaints are frequently made of Arreasts being laid by the Waterbayliffs Authority at the Ports of this Isle to stop Traders and others just at their going off the Isle, upon Pretences of Debt and the like for a Tide's Water, without just Cause, or any Accon being afterwards brought as intended by the Law in consequence of such

¹ Repealed as to Coroners by Acts of 1813, Chap. 2.

² By Act of Parliament 7 Geo. III. c. 45. (1767), all export and import Duties ceased and new Duties were imposed.

Arreasts, whereby many honest People are wrongfully detained from passing on their lawful Occasions, to their great Detriment; for Remedy whereof, be it enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. the Governor, Council, Deemsters, and Keyes, in this present Court assembled, and by the Authority of the same, That if any shall hereafter vexatiously cause such Arrest to be laid by the Waterbayliffs Authority upon any Person or Persons for a Tide, and not afterwards bring his Accōn, and make just Cause to appear for the same, there shall be Damages awarded against him or them to the Party injured, both for the Loss and Detention, at the Discretion of an Admiral Jury, to be impannelled at the Suit of such Party aggrieved for that Purpose, any former Custome or Practice to the contrary notwithstanding: But it is to be understood, and so deemed and taken, that although the Arrest is said to be laid for a Tide's Water, yet it shall continue for the Space of twenty-four Hours, that the Plaintiff may have Time sufficient to procure his Action.

Damages for
false Arrests.

24 Hours
after Arrest
allowed to
bring in
Action.

Dan. Mylrea.
Jon. Taubman.

P. Lindesay.
Cha. Stanley.
Jon. Quayle.
William Christian.

The Keyes.

Tho. Heywood,	Matth. Christian,
William Murrey,	William Stevenson,
Quayle Curphey,	John Moore,
John Wattleworth,	Richard Tyldesley,
Tho. Stevenson,	John Oates,
John Christian,	John Clucas,
John Frissell,	James Moore,
Jon. Christian,	Tho. Radcliffe,
Tho. Gawne,	Edward Christian,
Tho. Christian,	William Cubbon,
William Qualtrough,	Dan. Lace.

London, the 15th Day of December, 1747.

I do allow of and confirm the eight Acts before written according to my Prerogative within my Isle of Man, and do order that the said Acts be proclaimed on the Tynwald Hill according to the antient Form and Custome of the said Isle.

ATHOLL and STRANGE.

At a Tynwald Court holden at St. John's Chappel the 24th Day of June, Anno Dni 1748.

The before written eight Acts were this Day publickly proclaimed upon the Tynwald Hill according to the antient Forme and Custome of this Isle; as witness our Subscriptions,

Edw. Moore.	Dan. Mylrea.	P. Lindesay.
Rob. Radcliff.	Jon. Taubman.	Jon. Quayle.
		William Christian.

The Keyes.

Tho. Heywood,	Tho. Christian,
John Christian,	John Clucas,
William Murrey,	John Oates,
Quayle Curphey,	William Stephenson,
William Qualtrough,	Tho. Radcliff,
Tho. Gawne,	Matth. Christian,
Jon. Christian,	James Moore,
Richard Tyldesley,	Dan. Lace,
Tho. Stevenson,	William Cubbon,
Phi. Moore,	Edward Christian.
John Moore.	

INSULA MONÆ.

At a Court holden at Castle Rushen the eighth day of January in the Year of our Lord one thousand seven hundred and fifty-three, before the Honorable Basil Cochrane, Esquire, Governor, the Council, Deemsters, and twenty-four Keyes of the said Isle, the following Acts are passed :

CHAPTER I.

An Act for regulating the Commencement of the Year, and for establishing the new Calendar now used in England.

Alteration of Calendar. Whereas an Act of Parliament hath lately passed in England, importing that the legal Supputation of the Year of our Lord, according to which the Year beginneth on the twenty-fifth Day of March, hath been found by Experience to be attended with divers Inconveniencies, not only as it

differs from the Usage of neighbouring Nations, and even from other Parts of Britain itself, but also that frequent Mistakes and Disputes are thereby occasioned in the Dates of Deeds and other Writings, and that the Calendar then in use, commonly called the Julian Calendar, being discovered to be erroneous, the Spring Equinox, which at the Time of the General Council of Nice in the Year of our Lord three hundred and twenty-five happened on or about the twenty-first Day of March, now happens on the ninth or tenth of the said Month, and the said Error still encreasing, and if not remedied would in Process of Time occasion the several Equinoxes and Solstices to fall at very different Times in the civil Year from what they formerly did, which might mislead Persons ignorant of the said Alteration, and that a Method of correcting the Calendar, in such Manner as that the Equinoxes and Solstices might for the future fall nearly upon the same nominal Days on which the same happened at the Time of the said General Council, having been received and established by almost all other Nations in Europe, it would be of general Convenience to Merchants and others corresponding with other Nations, and prevent Mistakes and Disputes in or concerning Dates of Letters and Accounts if received and established there; and whereas it is the Province and Benefit of the People of this Isle to conform in this Behalf to the said new Method of Supputation established in England, and the same having been already observed here during the Year now last past, that is to say, from and since the last Day of December one thousand seven hundred and fifty-one, the first Day of January then next following, having been accordingly taken and accounted to be the first Day of the Year one thousand seven hundred and fifty-two, and from that Day the several Days of each Month and the Feast of Easter, and other moveable Feasts thereon depending, having gone on according to that Method to the second Day of September following, the eleven intermediate nominal Days of the common Calendar being then omitted, the Day next after accounted to be the fourteenth Day of the said Month, and so from thence the several natural Days reckoned and numbered forwards according to the Order and Succession of Days used in the new Calendar; yet nevertheless it being found necessary to establish the same by a Statute Law in this Island,

1. Be it therefore ordained and enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. by and with the

New Style to
commence
from last Day
of December,
1751.

Advice and Consent of the Governour, Council, Deemsters, and twenty-four Keys in this present Court assembled, and by the Authority of the same, That all Acts, Deeds, Proceedings, Bills, Bonds, Notes, Letters, Accounts, and other Writings, and all other Matters and Things whatsoever, had, made, transacted, or done for and during the said Year one thousand seven hundred and fifty-two, from the last Day of December one thousand seven hundred and fifty-one, and so on to the Commencement and promulgation of this Act, and which were, are, or shall be dated in that Time according to the New Stile, shall at all Times be held, deemed, as esteemed to be as good and effectual both at Law and in Equity as if they had actually been made and dated, or did bear Date according to the old Method of accounting by the Julian Calender, and that no Plea of that Kind shall be admitted against them, or any of them, in any Court of Law or Equity within this Isle whatsoever.

2. And be it further enacted by the Authority aforesaid, That the said Supputation, according to which the Year of our Lord begun on the twenty-fifth Day of March, shall not be made use of in this Isle from and after the last Day of December one thousand seven hundred and fifty-two, and that the first Day of this Instant January shall be reckoned, taken, deemed, and accounted to be the first Day of the Year one thousand seven hundred and fifty-three, and so on from Time to Time the first Day of January in every Year which shall happen in Time to come shall be reckoned, taken, deemed, and accounted to be the first Day of the Year, and that each new Year shall accordingly comence and begin to be reckoned from the first Day of January next preceding the twenty-fifth Day of March on which such Year would, according to the Julian Calender or Method of accounting, have begun or commenced; and that from the said first Day of January Instant the several Days of each Month shall go on and be reckoned and numbered according to the new Calender now established in England as aforesaid;

3. And that all Acts, Deeds, Notes, and other Instruments of what Nature or Kind soever, whether Ecclesiastical or Civil, Publick or Private, which shall be made, executed, signed, or perfected upon or after the Day of the Publication of this Act, shall bear Date according to the said new Method of Supputation;

4. And that the two fixed Terms of Saint Philip and Saint James, and of Saint Michael, for holding the Courts

of Common Law or Sheading Courts, Courts of General Gaole Delivery, and other Courts at those Times usually holden, the Courts of Chancery, and all other Courts of what Nature or Kind soever, whether Civil, Criminal, or Ecclesiastical, and the usual Election and Admission of Officers, (except Coroners and Lockmen), and their entering upon the Execution of their respective Offices, or for any other Purpose whatsoever, which by any Law, Statute, Custom, or Usage of this Isle, are to be holden and kept, done, and admitted, on any fixed or certain Day of any Month, or on any Day depending upon the beginning or any certain Day of any Month, (except the Midsummer Tynwald Court held with the Fair of that Day), shall from Time to Time from and after the said Day of Publication of this Act, be holden and kept upon and according to the same respective nominal Days and Times whereon or according to which the same are now to be holden, but which shall be computed according to the said new Method of numbering and reckoning the Days of the Calender as aforesaid; that is to say, eleven Days sooner than the respective Days whereon the same were holden and kept, any Law, Statute, Custom, or Usage to the contrary in anywise notwithstanding:

Court and
other public
Days altered
to New Style.

5. Provided always, and it is hereby declared, That nothing herein contained or enacted shall restrain, or shall be understood to restrain the Power of the Governor or other Officers and Judges respectively concerned from appointing the said Common Law Courts, Gaole Deliveries, and other Courts usually holden after the said two respective Feasts of Saint Philip and Saint James, and of Saint Michael, at such convenient Time or Times as he or they shall see most proper for holding the same:

Without Pre-
judice to
Power of
Governor or
Judges to
hold Courts
when they
think proper.

6. And continuing and for preserving the Calender or Method of reckoning and computing the Days of the Year in the same regular Course as near as may be in all Times coming, be it further enacted by the Authority aforesaid, That the several Years of our Lord one thousand eight hundred, one thousand nine hundred, two thousand one hundred, two thousand two hundred, two thousand three hundred, or any other hundredth Years of our Lord which shall happen in Time to come, except only every four hundredth Year of our Lord, whereof the Year of our Lord two thousand shall be the first, shall not be esteemed or taken to be Bissextile or Leap Years, but shall be taken to be common Years, consisting of three hundred and sixty-five Days, and no more, and that the Years of our

Bissextile or
Leap Years.

Lord two thousand four hundred, two thousand eight hundred, and every other four hundredth Year of our Lord from the said Year of our Lord two thousand inclusive, and also all other Years of our Lord which by the present Supputation are esteemed to be Bissextile or Leap Years, shall for the future, and in all Times to come, be esteemed and taken to be Bissextile or Leap Years, consisting of three hundred and sixty-five Days in the same Sort and Manner as was before used with respect to every fourth Year of our Lord :

Moveable
Feasts.

7. And whereas, according to the Rule prefixed to the Book of Common Prayer of the Church of England, Easter-Day is always the first Sunday after the first full Moon which happens next after the twenty-first Day of March ; and if the full Moon happens upon a Sunday, Easter-Day is the Sunday after : And whereas the Method of computing the full Moons heretofore used in the Church of England, and according to which the Table to find Easter for ever prefixed to the said Book of Common Prayer is formed, is by Process of Time become considerably erroneous : And whereas the new Calender, and also certain Tables and Rules for the fixing the true Time of the Celebration of the said Feast of Easter, and the finding the Times of the full Moons on which the same dependeth, have been prepared and are now established in England, be it therefore enacted by the Authority aforesaid, That the said Feast of Easter, or any of the Moveable Feasts thereon depending, shall be no longer kept or observed in this Isle according to the said Method of Supputation formerly used, or the said Table prefixed to the said Book of Common Prayer ;

8. And that the said Table, and also the Column of Golden Numbers as they are prefixed to the respective Days of the Month in the said Calender, shall be disused, and that the said new Calender Tables and Rules established in England as aforesaid shall be preferred and used in the Room and Stead thereof :

Holydays to
be kept as
directed by
new Calen-
dar.

9. And that from and after the Day of the Publication of this Act all and every the fixed Feast Days, Holy Days, and Fast Days, which were formerly kept and observed by the Church in this Island, and also the several solemn Days of Thanksgiving and of Fasting, and Humiliation, which are from Time to Time to be kept and observed, shall be kept and observed on the respective Days marked for the Celebration of the same in the said new Calender ; that is to say, on the same respective nominal Days on

which the same were then kept and observed, but which, according to the Alteration by this Act intended to be made as aforesaid, will happen eleven Days sooner than the same by the Old Stile did ;

10. And that the said Feast of Easter, and all other Moveable Feasts thereon depending, shall from Time to Time be observed and celebrated according to the said new Calender Tables and Rules within this Isle ; and all Markets, Fairs, and Marts, which by any Law, Custom, or Usage are appointed or accustomed to be holden or kept at any moveable Time or Times depending upon the Time of Easter, or any other such Moveable Feast as aforesaid, shall from Time to Time, from and after the Day of Commencement of this Act, be holden and kept on such Days and Times whereon the same shall respectively happen or fall, according to the happening or falling of the said Feast of Easter, or such other Moveable Feasts as aforesaid, to be computed according to the said new Calender Tables and Rules setled in England as aforesaid.

Markets &
Fairs in like
manner.

11. And be it further enacted by the Authority aforesaid, That the holding and keeping of all other Markets, Fairs, and Marts, whether for the Sale of Goods or Cattle, or for the Hiring of Servants, or for any other Purpose, which are either fixed to certain nominal Days of the Month, or depending upon the Beginning or any certain Day of any Month, and the Midsummer Tynwald Court usually holden or kept with the Fair or Mart on the Feast Day of Saint John Baptist, at which the several Coroners of this Isle heretofore were and hereafter are intended by this Act to be sworn and admitted into their respective Offices and to enter upon the Execution of the same, and afterwards to appoint their Sub-Coroners or Lockmen, to be likewise sworn in as usual ; and the Time or Times of hiring, yarding, publishing, giving warning, obtaining by Juries Freedom from yarding and discharging of Servants from their Servitude, and of entering Choice Children, shall not, from and after the Promulgation of this Act, be continued upon or according to the nominal Days of the Month, or the Time of the Beginning of any Year or Month to be computed according to the said new Calender ; but that from and after the said Promulgation the said Markets, Fairs, and Marts, and the said Midsummer Tynwald Court shall be holden and kept, and the said hiring, yarding, publishing, warning, obtaining by Juries Freedom from yarding and discharging from Servitude, and of

Coroners to
be sworn at
usual time.

Hiring &
yarding of
Servants.

entering Choice Children, shall be done, given, received, had, transacted, and taken upon or according to the same natural Days upon or according to which the same should have been so kept or holden, done, given, received, had, transacted, or taken, in case this Act had never been made ; that is to say, eleven Days later than the same would have happened according to the nominal Days of the said new Supputation of Time by which the Commencing of the each Year or Month, and the nominal Days thereof, are anticipated or brought forward by the Space of eleven Days, any Thing in this Act contained to the contrary notwithstanding.

Letting and
taking Pos-
session of
Lands,

Houses, &c.
to remain
according to
old Style.

12. And whereas according to divers Customs, Prescriptions, and Usages within this Isle, the entering upon the Possession and Occupation of Lands and Houses, either by Recoveries of Titles or by setting and letting or opening of Grounds for Pasture and other Purposes, are often on particular nominal Days and Times in the Year ; and on the other Hand the Owners of such Lands, Houses, and Grounds have, on the Determination of such Settings, and of the letting of Pastures, a Right to re-enter upon, enclose, and shut up the Premises for their own private Use ; and there is in many other Instances a temporary and distinct Property and Right vested in different Persons in and to such Lands, Houses, and Grounds, according to certain nominal Days and Times in the Year : And whereas the anticipating and bringing forward the said nominal Days and Times by the Space of eleven Days, according to the said new Method of Supputation, might be attended with many Inconveniences, be it therefore further declared, provided, and enacted, by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend to accelerate or anticipate the Days or Times for entering by Recoveries, for settings or lettings, for the opening, inclosing, or shutting up any such Lands, Houses, or Grounds, as aforesaid, or the Days or Times on which any such temporary or distinct Property or Right in or to any such Lands, Houses, or Grounds as aforesaid is to commence ; but that all such Lands, Houses, and Grounds as aforesaid, shall, from and after the Publication of this Act, be from Time to Time respectively entered upon, opened, enclosed, or shut up, and such temporary and distinct Property and Right in and to such Lands, Houses, and Grounds as aforesaid shall commence, begin, and determine upon the same natural Days and Times on which the same should have so respec-

tively commenced, begun, and determine, or would have been entered upon, opened enclosed, or shut up in case this Act had not been made; that is to say, eleven Days later than the same would have happened according to the said Account and new Supputation of Time so to begin as aforesaid.

13. Provided also, and it is hereby further declared and enacted, That nothing in this present Act contained shall extend, or be construed to extend, to accelerate or anticipate the Times of Payment of the Lords annual Chief Rents, Boons, Customs, Fines, Duties, Suits, Services, and other Rights, Dues, or Demands whatsoever, nor any other Rent or Rents, Annuity or Annuities, Sum or Sums of Money whatsoever, which shall become payable by virtue or in consequence of any Law, Statute, Custom, Usage, Lease, Deed, Writing, Bond, Note, Contract, or other Agreement whatsoever now subsisting, or which shall be made, signed, sealed, or entered into at any Time before the Publication hereof, or which shall become payable by virtue of any Law or Statute now in force or which shall be made before the said Publication, or the Time of doing any Matter or Thing directed or required by any such Law or Statute to be done in relation thereto, or to accelerate the Payment or Performance of, or increase the Interest of any such Sum of Money which shall become payable as aforesaid, or to accelerate the Time of Delivery of any Goods, Chattels, Wares, Merchandize, or other Things whatsoever, or the Time of the Commencement, Expiration, or Determination of any Lease, Deed, or Demise of any Lands, Houses, Tenements, or Hereditaments, or of any other Contract or Agreement whatsoever, or of the accepting, surrendering, or delivering up the Possession of any such Lands, Houses, Tenements, or Hereditaments, or the Commencement, Expiration, or Determination of any Annuity or Rent, or of any Grant for any Term of Years of what Nature or Kind soever, by virtue or in consequence of any such Deed, Writing, Contract, or Agreement, or the Time of the attaining the respective Ages of fourteen and twenty-one Years, or any other Age requisite by any Law, Custom, or Usage, Deed, Will, or Writing whatsoever for the doing any Act, or for any other Purpose whatsoever by any Person or Persons now born, or who shall be born before the Publication hereof, or the Time of the Expiration or Determination of any Apprenticeship, or other Service by virtue of any Indenture, or of any Articles under Seal or otherwise, or by

Lord's Rent
or payment of
other Money,
Boons, &c.
not to be ac-
celerated by
alteration of
Style.

Attaining to
Age of legal
Maturity not
to be accele-
rated by alte-
ration.

reason of any simple Contract or hiring whatsoever ; but that all and every such Rent and Rents, Boons, Customs, Duties, Fines, Suits, Services, and other Dues and Demands, Annuity and Annuities, Sum and Sums of Money, and the Interest thereof, shall remain and continue to be due and payable, and the Delivery of such Goods and Chattels, Wares and Merchandize, shall be made, and the said Leases, Deeds, and Demises of all such Lands, Houses, Tenements and Hereditaments, and the said Contracts and Agreements shall be deemed to commence, expire, and determine ; and the said Lands, Houses, Tenements, and Hereditaments, shall be accepted, surrendered, and delivered up, and the said Rents, Boons, Customs, Duties, Fines, Suits and Services, Dues and Demands, Annuities and Grants, for any Term of Years, shall commence, cease, and determine at and upon the same respective natural Days and Times as the same should and ought to have been payable or made, or would have happened in case this Act had not been made ; and that no further or other Sum shall be paid or payable for the Interest of any Sum of Money whatsoever than such Interest shall amount unto for the true number of natural Days for which the principal Sum bearing such Interest shall continue due and unpaid ; and that no Person or Persons whatsoever shall be deemed or taken to have attained to the said respective Ages of fourteen or twenty-one Years, or any other such Age as aforesaid, or to have compleated the Time of any such Service as aforesaid, until the full Number of Years and Days shall be elapsed on which such Person or Persons respectively would have attained to such Ages, or would have compleated the Time of such Service as aforesaid in case this Act had not been made, any Thing hereinbefore contained to the contrary thereof in anywise notwithstanding.

D. Mylrea,
Jon. Taubman.

Basil Cochrane,
William Christian,
Jon. Quayle,
Dan. Mylrea.

The Keyes.

Tho. Heywood,
William Murrey,
Phi. Moore,
Tho. Christian,
John Frissell,
Tho. Fargher,

Quayle Curphey,
John Taubman,
John Moore,
Richard Tyldesley,
John Oates,
John Clucas,

Tho. Gawne,
 Dan. Lace,
 William Qualtrough,
 Matth. Christian,
 William Stevenson,

James Moore,
 Tho. Radcliffe,
 Edward Christian,
 William Cubbon.

CHAPTER II.

An Act to continue in force the Act for the Building and Repairing of Bridges within this Isle for a longer Term of Years.¹

Whereas the Act, intituled, "An Act for the Building and Repairing of Bridges within this Isle," passed at a Tynwald Court holden at St. John's Chappell the twenty-fifth Day of June, which was in the Year of our Lord one thousand seven hundred and thirty-nine, and promulgated the first Day of October following, was to continue in force only for the Term of fourteen Years, commencing from the first Day of February in the said Year, which Term is now near expiring; and whereas it is found necessary to renew the said Act for the accomplishing of the said useful Works, be it therefore ordained and enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. the Governour, Council, Deemsters, and twenty-four Keyes, in this present Court assembled, and by the Authority of the same, That the said Bridge Act, intituled as above, shall remain and continue in full Force, Virtue, and Effect for and during the Time, Term, and Space of twenty-one Years longer, commencing at and from the Day of the Determination of the said Act, that is to say, the eleventh Day of February New Stile, which will be in the Year of our Lord one thousand seven hundred and fifty-three; and that the said Act, and all Clauses, Sentences, Paragraphs, Matters, and Things whatsoever therein and thereby contained and enacted, shall be, and shall be taken, deemed, and understood to be of as much and the same Validity, Force, and Effect for the further Term now enlarged by this Act, as they now are, or at any Time were, in or during the first-mentioned Term of twenty-one Years, to all Intents, Purposes, and Constructions whatsoever, the Expiration of the former Term notwithstanding.

Act of 25th
 of June, 1739,
 renewed for
 21 Years.

Dan. Mylrea.
 Jon. Taubman.

Basil Cochrane.
 William Christian.
 Jon. Quayle.
 Dan. Mylrea.

The Keyes.

Tho. Heywood,
 William Murrey,
 Phi. Moore,
 Quayle Curphey,
 Richard Tyldesley,
 John Clucas,
 Tho. Christian,
 William Stephenson,
 William Cubbon,
 John Frissell,
 Dan. Lace,

Tho. Fargher,
 Tho. Radcliff,
 John Taubman,
 Matth. Christian,
 John Oates,
 William Qualtrough,
 John Moore,
 Edward Christian,
 James Moore,
 Tho. Gawne.

London, the 31st March, 1753.

I do allow of and confirm the beforewritten two Acts contained in this and the two preceding Skins of Parchment, to wit, An Act for regulating the Commencement of the Year, and for establishing the new Calender now used in England; and an Act to continue in force the Act for Building and Repairing of Bridges within this Isle for a longer Term of Years, according to my Prerogative within my Isle of Mann, and do order that the said Acts be proclaimed upon the Tynwald Hill according to the ancient Form and Custom of the said Isle.

ATHOLL and STRANGE.

¹ Expired 1774.

At a Tynwald Court holden at St. John's Chappel the 5th Day of July, Anno Dni 1753.

The beforegoing two Acts being confirmed by His Grace the Duke of Atholl, Lord Strange, and Lord of this Isle, were this Day publicly proclaimed upon the Tynwald Hill according to the antient Form and Custome of this Isle; as witness our Subscriptions,

Ro. Radcliffe.
Matths. Curghey.

Dan. Mylrea.
Jon. Taubman.
Jon. Quayle.
Dan. Mylrea.

The Keyes.

William Murrey,
Quayle Curphey,
Philip Moore,
Jon. Christian,
John Frissell,
John Moore,
William Qualtrough,
Dan. Lace,
John Taubman,
Tho. Fargher,

Tho. Radcliffe,
John Oates,
Matth. Christian,
Tho. Christian,
Thomas Gawne,
James Moore,
Edward Christian,
William Stevenson,
Richard Tyldesley,
Jon. Clucas.

INSULA MONÆ.

At a Court holden at Castle Rushin the eighth Day of January in the Year of our Lord one thousand seven hundred and fifty-three, before the Honourable Basil Cochrane, Esquire, Governor, the Council, Deemsters, and twenty-four Keyes of the said Isle.

CHAPTER III.

An Act to relieve Suitors aggrieved by the Verdicts of Enquests called Long Juries, and exclude a second Great Enquest.¹

Great En-
quest.

Whereas Disputes and Differences in and concerning Ways, Watercourses, Meres, and Boundaries, and the like, have been by the Law and Custome of this Isle enquired of and decided by the Great Enquests, and proceeded in from a first to a second Enquest, and so to a Long Jury of twenty-four Men, who although well intended by the Constitution to be a Check upon the two preceding Great Enquests, yet frequent Complaints are made of many Hardships and Inconveniences suffered by diverse Persons by their partial and erroneous Proceedings, and sometimes concurring with the said Enquests in Error and Wilfulness rather than duly considering the real and true Merits of the Causes before them, looking upon themselves to be the last Resource, and not accountable for their Actions: And whereas a Method of Proceeding in those Cases is now thought of and taken into consideration, which as it will shorten the Processes, is hoped will ease Suitors, and also produce more equal and just Determinations of such Differences as aforesaid, be it therefore enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. the Governor, Council, Deemsters, and twenty-four Keyes, in this present Court assembled, and by the Authority of the same.

Second En-
quest
abolished.

1. That from and after the Day of the Promulgation of this Act no Dispute or Difference whatsoever in and concerning Ways, Watercourses, Meres, and Boundaries, or other such like Causes heretofore determinable by Great Enquests, in Manner aforesaid, shall go, or be put to, or proceeded in, by second Great Enquests, but that such second Enquests shall be excluded, and that Manner of Process as to them utterly cease; and that hereafter the Method of Proceeding in such Cases shall be

¹ Great Enquests and Long Juries abolished by Act of 1777, Chap. 6. Keys jurisdiction abolished by Appellate Jurisdiction Act, 1867. Great Enquest revived except as to trial of private rights by Act of 1793.

deemed and understood to be, That all Disputes and Differences whatsoever proper for the Enquiry of Great Enquests shall first be enquired of, proceeded in, and verdicted by such Enquests in Manner hereto accustomed.

2. And then either Party, Plaintiff or Defendant, holding him, her, or themselves aggrieved by such Enquest's Verdict, shall, within twenty-one Days from and after the Recording of the Verdict, and not otherwise, be admitted to traverse such Verdict to a Long Jury of twenty-four Men, to be impanelled and sworn as formerly, giving Bond by way of Recognizance to the Comptroller and Clerk of the Rolls, in Penalty of three Pounds to the Lord's Use, to disprove that Verdict by the Long Jury according to the usual Method of Traverses at the Common Law; which Traverse the Party then becoming Plaintiff shall be obliged to prosecute with Effect, so as that the Verdict be delivered in within the Term and Space of six Months from such Entry, or at the Court of General Gaole Delivery next after those six Months End, upon Pain of Commitment till they agree and give in the same as directed by a late Act in that Behalf;

3. And when the said Verdict is recorded, any Party aggrieved thereby, shall, within the same Number of Days, and not after, be allowed a further Traverse to the twenty-four Keys of this Isle, giving Bond by Recognizance to disprove the Verdict in Manner aforesaid; and this Traverse shall likewise be prosecuted with Effect at the next Meeting of the said twenty-four Keys to determine Common Law Causes, and then, if Occasion be, the said Keys, or a Committee not under six of their Body, to be nominated by themselves, may for their better Information take a view of the Place or subject Matter in Difference, and make Report thereof to the rest, so that, after such View of the Premises, (if requisite) hearing the Partys, and considering all Proofs, Evidences, and Allegations which had been made and offered on either Side, the Return of the Keys to be made, and then delivered in with others to the Governor, any Law, Custom, or Practice to the contrary of this Act in anywise notwithstanding.

4. And be it further ordained and enacted by the Authority aforesaid, That upon such Hearing the Keys shall have Power to affirm, alter, or reverse the Verdict of the Long Jury, or the Verdict of the preceding Great Enquest, as the Matter shall appear to them according to Justice, and to return such Long Jury and Enquest, or either of them, that shall be found to have acted partially, wilfully, or erroneously, to the Mercy of the Court to be fined in any Sum not exceeding Ten Shillings apiece; and if through the Neglect or Default of the Plaintiff, the Long Jury's Verdict, or the Return of the twenty-four Keys, be not given and delivered in within the respective limited Times aforesaid, the Cause shall be dismissed, the traversed Verdict enforced, and the Prosecutor so failing to be at the Mercy of the Court for the Penalty of his Recognizance, and pay all Charges by immediate Execution from the Magistrate concerned without further Accon, any Custome or Practice to the contrary notwithstanding.

Traverse to Long Jury.
Bond to prosecute within six Months.

Further Traverse to 24 Keys, who may view.
Traverse to be prosecuted at next Meeting of Keys.

Keys to present Long Jury, &c.; acting partially.
If return not delivered in due time, Cause dismissed.

Dan. Mylrea.
Jon. Taubman.

Basil Cochrane.
William Christian.
Jon. Quayle.
Dan. Mylrea.

The Keyes.

Tho. Heywood,
William Murrey,
Tho. Gawne,
Phi. Moore,
John Frissell,
William Qualtrough,
Tho. Fargher,
Dan. Lace,
John Clucas,
Tho. Christian,

John Taubman,
John Moore,
Quayle Curphey,
Tho. Radcliffe,
William Stevenson,
Matth. Christian,
William Cubbon,
John Oates,
Edward Christian,
James Moore.

CHAPTER IV.

An Act to continue the two Statutes called the Harbour Acts in force for a longer Term of Years.¹

Whereas an Act, intituled, "An Act for the repairing and mending the Seaports and Harbours of this Isle," passed at a Tynwald Court holden at Saint John's Chappel the sixteenth Day of July, which was in the Year one thousand seven hundred and thirty-four, Act of 1734.

¹ Repealed by Act of Parliament 7 Geo. III. c. 45.

Act of 1739,
renewed for
21 years.

and there promulged the twenty-sixth Day of September following; and another Act, intituled, "An Act for the better collecting and applying of the Fund settled for the repairing of the Seaports and Harbours of this Isle," passed at a Tynwald Court holden at the same Place the first of October one thousand seven hundred and thirty-nine, promulged the twenty-fourth Day of June one thousand seven hundred and forty, were to continue in force only for twenty-one Years, commencing from the twenty-ninth Day of the said Month of September one thousand seven hundred and thirty-four, which Term is now near expiring: and whereas the said Acts have been found very useful and highly necessary to be renewed for a further Term for accomplishing the said beneficial Works, be it therefore ordained and enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. the Governor, Council, Deemsters, and twenty-four Keys, in this present Court assembled and by the Authority of the same, That the said two Acts, intituled as abovesaid, shall be, remain, and continue in full Force, Virtue, and Effect for and during the Term Time and Space of twenty-one Years longer, commencing at and from the Day of the Determination of the first-mentioned Act, that is to say, the tenth Day of October New Stile, which will be in the Year of our Lord one thousand seven hundred and fifty-five; and that the said two Acts, and all Clauses, Sentences, Paragraphs, Matters, and Things whatsoever in and by them contained and enacted, shall be and shall be taken, deemed, and understood to be of as much and the same Validity, Force, and Effect for the further Term now enlarged by this Act as they now are, or at any Time were, in or during the first-mentioned Term of twenty-one Years, to all Intents, Purposes, and Constructions whatsoever, the Expiration of the said former Term notwithstanding.

Dan. Mylrea.
Jon. Taubman.

Basil Cochrane.
William Christian.
Jon. Quayle.
Dan. Mylrea.

The Keyes.

Tho. Heywood,
Tho. Christian,
William Murrey,
Quayle Curphey,
William Qualtrough,
Tho. Gawne,
John Frissell,
Phi. Moore,
John Moore,
John Taubman,

Tho. Fargher,
John Clucas,
John Oates,
William Stephenson,
Tho. Radcliff,
Matth. Christian,
James Moore,
Edward Christian,
Dan. Lace,
William Cubbon.

CHAPTER V.

An Act for the better repairing and amending of the Highways within this Island, and to lay an additional Charge upon Publick-house Lycences.¹

Acts of 1713.

Whereas the Provision made by an Act, intituled, "An Act for repairing the Highways within this Island," passed in the Year of our Lord one thousand seven hundred and twelve, and published at a Tynwald Court holden the twenty-fourth Day of June one thousand seven hundred and thirteen, is by Experience found to be insufficient for the useful Design of the said Act; and it becoming very necessary to make some proper Provision for that Purpose to make the Publick Roads safe and commodious for Travellers, Passengers, and Carriages, and it being taken into Consideration, that to raise a Fund to defray the Expence of this Work there is no Method more effectual or less burthensome to the People than to lay an additional Charge upon Lycences for Publick-houses, besides what they already pay; be it therefore enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. the Governor, Council, Deemsters, and twenty-four Keys in this present Court assembled, and by the Authority of the same,

Tippling Act
of 1734.

Public-house
Licenses in-
creased by
9s. 9d.

1. That over and besides the two Shillings and Sixpence already paid and payable yearly for Lycences for Publick-house Keepers, by an Act intituled, "An Act to suppress petty Alehouses and Tippling-houses within this Isle," passed at a Tynwald Court holden the sixteenth Day of July, which was in the Year of our Lord one thousand seven hundred and thirty-four, for the Uses and to the Purposes in that Act mentioned, there shall for the future be a further Charge or Sum of nine Shillings and Ninepence therewith yearly paid into the Hands of the Comptroller for the Time being, for every Lycence taken out, three Shillings and Sixpence whereof to be applied to the better and

¹ Expired.

further repairing and amending the said Highways. and the remaining six Shillings and Threepence to be applyed for the Encouragement of Publick Industry, in such Branches and in such Manner as shall hereafter be agreed upon by the Governor, Officers, Deemsters, and twenty-four Keys, as Occasion will offer;

2. And the said three Shillings and Sixpence appropriated to the Highways shall be paid to, expended, and laid out in such Manner and to such Purpose as shall be thought fit and agreed upon by the Governor, Officers, Deemsters, and Keys, or a Committee of them, to be named and appointed on the Midsummer Tynwald Day in every Year;

3. And the said Governor, Officers, Deemsters, and Keyes, or the Committee so nominated, shall have Power and Authority, from Time to Time, to view, survey, and oversee the said Highways to be repaired and amended, and generally to give such Orders, Directions, and Instructions for the doing thereof as shall in their Opinion be necessary: and to settle, regulate, and adjust all Accounts, Disbursements, and Transactions relative to or concerning the same.

4. And be it further enacted by the Authority aforesaid, That the said former Statute of the Year one thousand seven hundred and twelve shall remain and continue in full force according to the Tenor and Purport thereof; save and except, that when any Person whose Land adjoins any Highway shall be required to expend (in the first Instance) his three Shillings and Fourpence thereon, and then to be repaired by the rest of the Parish, it is to be deemed and understood for the future that the laying out of the said three Shillings and Fourpence, and the Labour of the Parish, shall begin together, and that it shall be lawful for the Overseer or Overseers (if needful) to require the Performance of both at the same Time;

5. And whenever a general Repair shall come to be made on any Highway, or Part of any Highway, by the Publick Labour of the Parish, the Turns of such Parishioners after the first Time shall be left to the Direction of the said Committee to order the same as they shall see most proper.

6. And for the more effectual Performance of the Repairs intended by this Act, the Governor of this Isle for the Time being shall and is to nominate and appoint one General Supervisor or Supervisors for the whole Island from Time to Time to act for and under the said Committee, with like Power to view and survey the Roads to be repaired, and to oversee all Repairs and Amendments that are to be made, and to order and direct the several Overseers of the Highways in the doing thereof, and from Time to Time to give such proper and particular Directions therein, and for the employing and finding Workmen, Horses, and all other Materials for the Purpose as he or they shall deem needful;

7. And the said Overseers and others are hereby required to submit to and follow his or their Directions and Instructions as they will avoid the Penaltys of the Law, and that the said Parish Overseers shall truly and carefully discharge their Dutys in every respect according to this and to the said former Act; and as their Attendance must now be more extraordinary and frequent, they shall be allowed one Shilling each by the Day for their Trouble and Care therein:

8. Provided, That if they or any of them shall at any Time be found to be careless or negligent, or to faile in doing their Duty as the General Supervisor or Supervisors shall require or direct, that then it shall be lawful for him or them to disallow or reduce the said Shilling per Day, or any Part thereof, at his or their Discretion; and if such Overseer shall continue in his Obstinacy or Default, then the General Supervisor or Supervisors may appoint another sufficient Man under him to do the Duty, and order the said Shilling per Day to be paid him; in which Case the Overseer in default shall have nothing, but yet shall not be freed from any Dutys or Attendance incumbent upon him by the said former Statute, any Thing herein contained to the contrary notwithstanding.

9. And be it further provided and enacted, That if any Person or Persons obligated by said former Statute of one thousand seven hundred and twelve, to send a Man to the Repair of the Roads, doth not or do not send a sufficient Man, such as the Overseer of the Work will approve of, then such Person or Persons (whose Man shall be turned off for Insufficiency) shall be obliged to pay Fourpence for every Default, and if not paid within three Days, then he or they shall pay Sixpence; which Penaltys are to be forthwith demanded and paid upon Pain of Commitment by Execution from the Governor upon Sight of a Certificate of the Contempt from the Overseer of the Work till the same be paid, with all occasional Fees, and then shall be laid out upon the Repairs in hand; and also, that all Persons so obligated as aforesaid shall send sufficient Creels fit and approved of by the Overseer for carrying Gravel and Sand under the like Penaltys, to be demanded, certified, levyed, and paid in Manner before mentioned, any Thing contained in the Statute of one thousand seven hundred and twelve to the contrary hereof notwithstanding.

10. And be it further enacted by the Authority aforesaid, That if it shall at any Time appear to the said Committee that it will be necessary and commodious for the

3s. 6d. for Highways, and 6s. 3d. for encouragement of Industry.
Governor, &c. to appoint Committee.

Act of 1712 to remain in force.

High-road Labour.

General Supervisor.

Overseer to obey Supervisor.

Overseer neglecting Duty.

Fine for not sending sufficient Men to High-road.

Governor,
&c. to make
Order for
new High-
way.

Not through
Dwelling-
House, Yard,
Haggard, or
Garden.

£3 Fine for
obstructing
High-road.

Money may
be borrowed
if necessary,
and Security
given on
High-road
Fund.

High-road
from Douglas
to Castletown
to be first
repaired.

Streets in
Market
Towns to be
paved by In-
habitants.

Pigs not to be
at large in
Towns.

Act to be
in force for
14 Years.

Publick to have any Highway in any Part altered or cutt streight through the Lands of any Person or Persons within this Isle, and report the same as their Opinion to the Governor, Officers, Deemsters, and Keys on any Tynwald Day, that then and in such Case it shall and may be lawfull for the said Governor, Officers, Deemsters, and Keys to make an Ordinance for the altering, cutting, or striking of any Highway or Highways of a sufficient Breadth through the Lands of any Person or Persons whatsoever to make it streight and convenient at the Appointment and Direction of the General Supervisor or Supervisors for all Travellers, Passengers, and Carriages, who have or may have Occasion to pass and repass therein; provided always it be not through any Dwelling-house, Yard, Haggard, or Garden, and that the Owner or Owners of the Lands shall be kept harmless and free from all Charges on that Account, and reasonable Satisfaction made him or them at the Estimation of four honest sufficient sworn Men of the Parish where the same shall happen, in which the Old Highway, if contiguous to such Owner or Owners, is to be considered; and if not, to be sold by the Committee to the best Advantage for the Use and Benefit of the Fund; and if any such Owner or Owners shall wilfully and obstinately withstand, obstruct, or hinder any High Road to be altered or cut through his or their Lands pursuant to this Act, he or they so offending shall be fined in three Pounds a piece, and committed till the same be paid; but that to be no Hindrance to the cutting and making of the Road in Manner before directed; which Fine of Three Pounds shall be levied by immediate Execution from the Governor directed to the Coroner, and laid out upon making and repairing the said new Road, and any other Road, as shall be necessary; and if any High Way shall be found not to be of a sufficient or lawfull Breadth, that the same shall be enlarged according to the said former Statute provided in that Behalf.

11. And be it further enacted by the Authority aforesaid, That if there will be occasion to borrow Money for the Furtherance of the said Repairs and Amendments before the Fund established by this Act can afford to pay the Charges thereof, or at any other Time, that then and in such Case it shall and may be lawful for the said Committee from Time to Time to borrow any Sum or Sums of Money upon their Bond that shall be sufficient for that Purpose, upon the Security of the said Fund on such Interest as they can agree for; and moreover, if any Person or Persons whatsoever shall think fit to advance their own Money for or towards the repairing or amending of any Highway within this Isle, the same shall bear such Interest as shall be agreed upon with the said Committee in Manner aforesaid, provided the said Repairs shall be made and performed under the Direction of the said Committee and General Supervisor as before mentioned; and that in both the said Cases all the said Principal and Interest shall be chargeable upon and repaid out of the said Fund, for which this Act shall amply indemnify both the Obligors and Lenders.

12. And be it further enacted by the Authority aforesaid, That the High Road between Castletown and Douglas by the Way of Newtown shall be the first that shall be repaired and amended pursuant to this Act; and upon the Promulgation thereof there shall be a Committee and a General Supervisor or Supervisors nominated and appointed to act and do all Things hereby respectively incumbent upon them.

13. And be it further enacted, That all Streets in Market Towns shall be, and shall be kept even and regularly paved by the respective adjacent Inhabitants under the Penalties laid down in the said Act of one thousand seven hundred and twelve, and that the said Streets and other publick Places in the said Towns shall be kept clean and clear of all Lumber, Filth, and Dung by the said adjacent Inhabitants, otherwise in default the Captain and Constable of each respective Town shall present them at every Court for every Default or Neglect, after previous Notice by him given; and every Person who shall offend herein, being so presented, shall be fined in five Shillings a-piece, to be levied as aforesaid, and applied to the paving or mending of the said Streets, and removing the Nuisance complained of:

14. And that no Person or Persons whatsoever shall suffer their Pigs to strole, run, or feed about the Streets upon pain of being presented as aforesaid, and fined in one Shilling and Twopence apiece for every Default or Neglect, to be levied and also applied to the Purpose aforesaid; and if the Captain and Constable of any Town shall refuse or neglect to make Presentments as aforesaid, he shall forfeit according to the said former Statute provided in that Behalf:

15. Provided always, and it is hereby enacted, That this Act shall continue and be in force for the Space of fourteen Years, to be reckoned from the Day of the Publication thereof, and from thence to the next Court of General Goale Delivery to be held after and from that Time for two Months afterwards, and no longer.

Dan. Mylrea.
Jon. Taubman.

Basil Cochrane.
Jon. Quayle.
Dan. Mylrea.

The Keyes.

Tho. Heywood,
William Murray,
Quayle Curphey,
Philip Moore,
John Frissell,
William Qualtrough,
Tho. Radcliffe,

Tho. Gawne,
Matth. Christian,
Tho. Christian,
John Oates,
John Taubman,
Tho. Fargher.

CHAPTER VI.

An Act for allowing Fees to the Deemsters in lieu of certain former Perquisites or Customes, and Charges to Witnesses.

Whereas it is now manifest that the late Triennial Act, intituled, "An Act to establish the Deemsters Fees for Tokens, and Charges to Witnesses," passed in the Year of our Lord one thousand seven hundred and forty-seven, and promulged at a Tynwald Court holden the twenty-fourth Day of June one thousand seven hundred and forty-eight, hath had the intended good Effect in discouraging (in a great Measure) luttigious and troublesome Suits in Law; be it therefore ordained and enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. the Governor, Council, Deemsters, and twenty-four Keys, in this present Court assembled, and by the Authority of the same,

Act of 1748.

1. That from and after the Day of the Publication of this Act the Perquisites or Customes heretofore paid and payable to the Deemsters about Allhallowtide or Christmass, usually collected by a Number of People called the Bonnach, or by the Lockmen of the Parishes or others, and also the Fees of Twopence for Tokens as Processes to charge or convey any Person or Persons before them, shall utterly cease;

Certain fees abolished.

2. And that in lieu thereof the Deemsters shall hereafter, in every Cause, (the Lord's Causes always excepted,) have and receive the Fee of Threepence for every Token they grant as an Execution for taking a Pawn, keeping a Journal thereof, Threepence for every Person against whom they shall take a Presentment of Contempt, and Twopence for every Token they shall grant for charging or convening any Jury or Enquest, and to have no more Yarded Servants in the Year than one Servant Man at Allhallowtide, and one Servant Maid at May in every Sheading; and this Part only to continue in force for fourteen Years from and after the Promulgation of this Act, and no longer.¹

Fee for Token, 3d.

This Section to be in force 14 Years.

3. And to compensate the Trouble and Charges of Witnesses which have encreased with the Number of Suits, be it further enacted by the Authority aforesaid, That the Statute made in the Year of our Lord one thousand six hundred and sixty-seven, touching Witnesses Charges, shall and is hereby repealed;

Act of 1667 repealed as to Witnesses.

4. And that for the Time to come Witnesses shall have their Charges allowed them (save in the Lord's Causes) in Manner following; that is to say, Every Person in the Degree of a Gentleman or Gentlewoman that shall hereafter be charged as a Witness before any Court, Magistrate, or Minister of Justice whatsoever in this Isle, holding Pleas of Contention in any Cause or Suit between Party and Party, shall upon Appearance have and be allowed for his or her Trouble and Charges Sixpence for every Parish through or in which he or she shall be obliged to travel, provided that the whole Allowance shall not exceed two Shillings and Sixpence; and every Person in the Degree of a Tradesman being charged, shall upon Appearance be allowed for Loss of Time Eightpence, besides Twopence for every Parish he shall be obliged to come through in like Manner, provided the Whole shall not exceed one Shilling and Sixpence; and every Woman of the same Degree Twopence for every Parish as aforesaid; and every Labouring Man appearing upon Charge shall have Fourpence for his Loss of Time, besides a Penny for every Parish through which he should be obliged to come; and every Woman of that Degree Twopence a Parish as aforesaid:²

New scale of Witnesses' Wages.

5. And to avoid Disputes in Point of Distinction, the Degrees or Denominations of the Witnesses shall be regulated by and at the Discretion of the Court or Magistrate before whom the Cause depends, and the Charges levied

Degree of Persons to be decided by Court.

¹ Expired 1767.

² Repealed by Act of 1813, Chap. 3.

and paid them respectively by the Party or Partys in whose Suit he, she, or they shall be summoned or charged by immediate Execution from such Court or Magistrate before whom they appear, by way of Pawn, according to the due Course of Law, or by Order of Commitment where the Nature of the Process by the Rules of the Court doth so require it.

Execution
for Witnesses
Charges and
other Fees.

6. And be it further enacted and provided, That whenever any Defendant shall happen to be cast in any Cause or Suit depending before any the Courts, Judges, or Magistrates aforesaid, it shall be lawfull for such Court, Judge, or Magistrate, to award Execution to the Plaintiff against the Defendant for the Witnesses Charges and Allowance aforesaid as it shall also be for the Deemsters to grant the like Execution for their Token Fees and Presentments before allowed by this Act along with the subject Matter or Thing in issue, or otherwise as the Nature of the Case shall require, without further Suit or Accon ;

Defendant in
contempt.

7. Or if the Defendant shall incur a Contempt by Non-appearance, it shall subject him to the Plaintiff for the Witnesses Charges thereby occasioned, any former Custom or Practice to the contrary notwithstanding :

Witness not
attending to
pay cost of
Day.

8. Provided also, that if any Default shall fall out by the Non-appearance of any Juryman or Enquestman, Witness or Witnesses, in any Cause or Suit in Contention as aforesaid, whereby such Cause or Suit cannot that Day proceed to be determined without them, such Juryman, Enquestman, Witness or Witnesses, unless some lawful Cause of Impediment approved of by the Court or Magistrate, be shewn, so as to stop the taking of a Presentment, shall also be obliged by the like immediate Execution to pay the Partys, Jury, Enquest, and other Witnesses, all their Charges occasioned by such Contempt, to be regulated as in the Case of Witnesses at the Discretion of the Magistrate in Manner before mentioned in this Act ;

Plaintiff to
pay Costs, in
default of
appearance
to prosecute.

9. And if any Plaintiff shall charge a Defendant or Defendants, Jury or Enquest, Witness or Witnesses, to appear before any Court or Magistrate of this Isle, and not appear himself to prosecute his Suit, it shall be lawful for such Court or Magistrate, upon producing to him or them a Certificate of the Charge, (which the Officer concerned shall give any Person upon paying him the Fee of Two-pence) to grant immediate Execution in like Manner to such Defendant or Defendants, Jury, Enquest, Witness or Witnesses, or any of them who shall desire it, an Authority to levy their Costs and Charges of and from such Plaintiff

in the same Proportions, Sort, Manner, and Degrees as hereinbefore mentioned and laid down in the Case of Witnesses, together with the said Fee occasioned by his Default, any Custom or Practice to the contrary notwithstanding.

Dan. Mylrea.
Jon. Taubman.

Basil Cochrane.
William Christian.
Jon. Quayle.
Dan. Mylrea.

The Keyes.

Tho. Heywood,
John Taubman,
Quayle Curphey,
William Murrey,
Tho. Gawne,
John Frissell,
Tho. Fargher,
Phi. Moore,
Dan. Lace,
Tho. Christian,

Matth. Christian,
William Qualtrough,
John Moore,
William Stevenson,
Edward Christian,
James Moore,
Tho. Radcliffe,
John Oates,
William Cubbon,
John Clucas.

CHAPTER VII.

An Act to indemnify Landlords in their Rents.

For the securing and indemnifying Landlords of and in their Rents, be it enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. the Governor, Council, Deemsters, and twenty-four Keyes in this present Court assembled, and by the Authority of the same,

1. That from and after the Day of the Promulgation of this Act no Goods or Chattles of Tenants being in any House or Houses, or on any Lands or Tenements leased, sett, or lett for Life, or for one or more Years or otherwise, shall be taken by virtue of any Execution, or extended, unless the Party at whose Suit the said Execution is sued out shall, before the Removal of such Goods or Chattles, pay the Landlord one Year's Rent, (if not already paid him), and then the Party may proceed to execute his Judgment, and the Coroner, or other proper Officer concerned to execute the same, is to levy and pay the Plaintiff as well the Money so paid for Rent as the Execution Money and Charges;

2. And if any Leasee or Tennant shall after the said Day fraudulently or clandestinely convey, assign, or carry

One Year's
Rent to be
paid before
Tenants'
Goods sold
under Exe-
cution.

Goods re-
moved off
Premises

may be fol-
lowed for 14
Days after
Rent due.

off, or suffer to be carried off his Goods from the demised Premises, with intent to prevent the Landlord from distraining for his Rent, then and in such Case the Landlord, or any Person by him employed, may within fourteen Days after his Rent becomes due, take and seize such Goods and Chattles wherever they shall be found, as a Distress for his Arrear of Rent, and dispose of and sell the same as if such Goods had been actually distrained upon the demised Premises ;

Sale of Goods
not valid
against
Landlord's
Claim for
Rent.

3. Nor shall any Sale or Assignment of a Leasee or Tennant's Goods, though made for a valuable Consideration, be deemed good against his Landlord's Preference of and for a Year's Rent, unless there are Goods left sufficient to pay the same ;

Lord's Rent
to be levied
in preference.

4. Provided always that this Act shall not prejudice the Lord of this Isle in levying his Rents, Debts, Fines, Forfeitures, or other Rights or Demands due to him preferable to all others, as if this Act had never been made, any Thing herein contained to the contrary notwithstanding ;

Arrest for
Rent.

5. Provided also, that if the Tennant's Goods and Effects should be removed any considerable Time before the Rent becomes due, whereby they might be secreted or made away, or clandestinely conveyed off the Island to prevent the Landlord from distraining, it shall in such Case be lawfull for such Landlord to obtain the Deemsters Authority to lay them under an Arrest, so as to be forthcoming to answer the Rent, unless the Person that removes them will give good Security to pay the Rent when the same becomes payable as aforesaid, any Thing hereinbefore contained to the contrary notwithstanding.

Dan. Mylrea.
Jon. Taubman.

Basil Cochrane.
William Christian.
Jon. Quayle.
Dan. Mylrea.

The Keyes.

Tho. Heywood,
Tho. Christian,
William Murrey,
Quayle Curphey,
William Qualtrough,
John Taubman,
John Moore,
John Frissell,
Phi. Moore,
Tho. Gawne,

Tho. Fargher,
John Clucas,
John Oates,
William Stephenson,
Tho. Radcliff,
William Cubbon,
Dan. Lace,
James Moore,
Edward Christian,
Matth. Christian.

CHAPTER VIII.

An Act for the better preventing Petty Larceny and Trespass.

Whereas the secrett committing of Petty Larcenys and Trespasses became a general Grievance of this Country by the Suspension of that laudable Practice of Proceeding in the first Instance to discover the Offenders by Jurys of Enquiry ; and whereas those Evils have been greatly remedied by the Effect of the late Triennial Act, (intituled as above), passed in the Year of our Lord one thousand seven hundred and fourty-seven, and published at a Tynwald Court holden the twenty-fourth Day of June one thousand seven hundred and fourty-eight ; be it therefore enacted by the Most Noble and Puissant Prince James, Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. the Governour, Council, Deemsters, and twenty-four Keyes, in this present Court assembled, and by the Authority of the same, Act of 1747.

1. That hereafter in all Complaints of Petty Larceny and Trespass whatsoever clandestinely committed by Persons, Horses, Sheep, or other Cattle unknown, the Party Complainant may apply to and it shall be lawful for the Governor, Deemsters, or other Magistrates of this Isle, who have Jurisdiction of Enquirys as it appertains unto them in their several Stations, to grant the said Party injured a Process to the proper Officer for a Jury of Enquiry to enquire of and discover the Offender or Offenders who did the Fact complained of by Examinations upon Oath in Manner following : that is to say, upon such Complaints of Petty Larceny in all Things left to the Valuation of a Jury by the Statute made in the Year of our Lord one thousand six hundred and twenty-nine, and other Instances of such like Nature, the Method of Proceeding shall be, and shall be understood to be, that all suspected Persons and others who shall be summoned to the Jury of Enquiry (which in that Case is to consist of six Men),¹ shall be examined upon Oath, and shall be obliged to give their Oaths in relation to the committing of the Fact enquired of, either by themselves or others ; and if any Person or Persons (conscious of his or their own Guilt) shall wilfully refuse to give such Satisfaction upon Oath for the Discovery of the Offenders, he or they so refusing shall be held as guilty of the Fact ; or if the Larceny upon the Enquiry shall happen to be found by the Jury, in either Case they shall verdict and leave the Offender or Offenders to be fined and punished at the Discretion of the Court : Provided always, and be it further enacted, That if the Larceny in question shall appear to be Grand Larceny to the Amount of Sixpence Halfpenny by the Valuation of the Jury, the same Jury shall then proceed by way of Inquisition for Felony, and upon Proof, Confession, Strong Presumption, or Suspicion, supported by good and prevailing Circumstances, shall indict the Offenders according to the common Course of Law ; and the Oath at first given them shall be to the Tenor, Effect, and Purpose of this Act, any Thing contained in the said Statute of the Year one thousand six hundred and twenty-nine, or any other Law or Custom to the contrary notwithstanding.²

Jury of Enquiry.

Suspected Persons shall be summoned.

If Grand Larceny to proceed by Inquisition of Felony.

¹ Altered to four men by Act of 1777, Chap. 8.

² Repealed as to larceny by Criminal Code of 1817.

Trespass.

Jury of En-
quiry.

2. And in Complaints of Trespass of the Nature aforesaid, all suspected Persons and others, and all Owners of Horses, Sheep, and other Cattle summoned or charged to the Jury of Enquiry, (which in that Case is to consist of four Men), shall and are hereby obliged to give their Oaths in like Manner for the Discovery of the Trespassers who committed the Trespass complained of, whether it be by themselves or others, or by their own Horses, Sheep, or Cattle, or those of others; and if any refuse, he or they so refusing shall be deemed guilty thereof; or if the Trespass be found by the Jury, they shall verdict; and in either Case leave the Offenders to the Discretion of the Court to be fined with Damages of four Times the value to the Party injured, estimating the same to the full Worth at their Peril.¹

Cutting
Trees,
throwing
down Fences,
wilful Tres-
pass.Fine and
Extra-
ordinary
Damage.Maiming,
&c. Cattle.

3. Provided always, and be it further enacted, That if the Complaint be for cutting, spoiling, or destroying any Tree or Plantation of Trees, or any Sett, Plant, or Graft, or for throwing down or breaking into any Inclosure or Inclosures with or by their Cattle, Horses, or other Goods; by Night or by Day, or other wilful Trespass; or if any Person or Persons shall on Purpose, or by want of due and proper Care, suffer their Cattle, Horses, or other Goods to stray or wander out into the Highways or other Places in the Night Time, whereby they become Trespassers on their Neighbours, or if any other secret or unconscionable Trespass or Trespasses shall be done or committed, (in all which Cases the suspected Offender or Offenders, if thereunto required, shall be obliged to give Oath as aforesaid), then such Offender or Offenders shall not only incurr a severe Fine to the Lord, but shall also for every Tree, Sett, Plant, or Graft so cut, spoiled, or destroyed, pay the Party injured twenty Shillings for extraordinary Damage, and ten Shillings extraordinary Damage for every such other clandestine or wilfull Trespass so committed as aforesaid, over and besides the fourfold Damages above mentioned;

4. Provided that every Person or Persons who shall maim or otherwise maliciously hurt Cattle, or other live Goods, be proceeded against by Process of Enquiry by a Jury as before, and upon Proof, Confession, or Refusal to clear themselves upon Oath of the Fact, it shall be lawful for the Jury to find the Offender or Offenders guilty, and to leave him, her, or them to the Court's Mercy for a Fine

¹ Extended as to sheep worried by dogs by Act of, 1852.

and Punishment as formerly, with fourfold Damages to the Party grieved as before directed by this Act.¹

5. And be it further enacted by the Authority aforesaid, That all and every the Damages before mentioned shall be recoverable by Execution from the Judge, Court, or Magistrate concerned, upon Sight of a Copy of the Verdict from Record, and levied by Way of Distress of the Goods and Chattles of the Offenders without further Suit or Accon. Damages to be recovered by Execution.

6. Provided nevertheless, that any Person finding himself aggrieved may be allowed to traverse such Jury's Verdicts according to the accustomed Course of Proceeding in such Cases. Traverse.

7. And whereas it is observed that the Coroners of this Isle have for many Years past neglected to swear in Fodder Jurys yearly within their respective Sheadings, according to the Appointment of a Statute made in the Year of our Lord one thousand six hundred and ninety-one, whereby the good intent of the said Statute is frustrated, and Trespases become unsufferable; to remedy which, and for the more effectual Discouragement of Trespass, be it further enacted by the Authority aforesaid, That if any Coroner shall hereafter refuse or neglect to impanel and swear in a Fodder Jury in every Parish within his Sheading yearly upon the twenty-fifth Day of March as directed by the said Statute, upon Complaint made or Knowledge given thereof to the Court, such Coroner shall be fined in three Pounds to the Lord; and that the Fodder Jury so sworn shall strictly proceed and do their Duty under the Penalty prescribed by the said Statute, and that *ex officio*. Fodder Jury.
Coroner fined £3 for not swearing in Fodder Jury.

8. And it is further provided and enacted, That hereafter the Farmers shall be included and proceeded against in the same Manner as the Intack and Cottageholders, and all of them to give an exact Account of their Cattle, Horses, and Sheep to the Fodder Jury, on Penalty of three Pounds for every Default or Neglect, and the Jurys are always to take special Care to see that all Persons whatsoever have provided sufficient Fodder of their own, and that they have the same in their own Possession, otherwise in Default to proceed against them and every of them according to the Direction of this Act and of the said former Statute, without allowing the common and evasive Excuse of depending upon being supplied by others: Farmers to give account of their Cattle, &c.

¹ Extended as to other property by Criminal Codes 1817 and 1872.

Fodder
Jury to be
approved by
Deemster.

9. And to the End that these Jurys may be made up of the better Sort of People, the several Coroners are to give a List of their Names in every Parish some Days before they are sworn to the respective Deemsters for their Approbation or Disallowance of their Sufficiency, any Law or Practice to the contrary notwithstanding.

Dan. Mylrea.
John Taubman.

Basil Cochrane.
William Christian.
Jon. Quayle.
Dan. Mylrea.

The Keyes.

Tho. Heywood,
William Murrey,
Quayle Curphey,
Philip Moore,
John Frissell,
William Qualtrough,
Dan. Lace,
Tho. Gawne,
Matth. Christian,
Tho. Fargher,

Tho. Radcliff,
John Clucas,
John Moore,
William Cubbon,
William Stevenson,
John Taubman,
Tho. Christian,
John Oates,
Edward Christian,
James Moore.

London, the 31st Day of March, 1753.

I do allow of and confirm the beforegoing six Acts, contained in this and the two preceding Skins of Parchment, to wit, An Act to relieve Suitors aggrieved by the Verdicts of Enquests called Long Jurys, and exclude a second Great Enquest—An Act to continue the two Statutes called the Harbour Acts in force for a longer Term of Years—An Act for the better repairing and amending of the Highways within this Island, and to lay an additional Charge upon Public-house Lycences—An Act for the allowing Fees to the Deemsters in lieu of certain former Perquisites or Customs, and Charges to Witnesses—An Act to indemnify Landlords in their Rents—and an Act for the better preventing of Petty Larceny and Trespass, according to my Prerogative within my Isle of Mann, and do order that the said Acts be proclaimed upon the Tynwald Hill according to the ancient Form and Custom of the said Isle.

ATHOLL and STRANGE.



At a Tynwald Court holden at St. John's Chappel the 5th Day of July, Anno Dni 1753.

The beforegoing six Acts being confirmed by His Grace the Duke of Atholl, Lord Strange, and Lord of this Isle, were this Day publickly proclaimed upon the Tynwald Hill according to the antient Form and Custome of this Isle; as witness our Subscriptions,

Ro. Radcliffe.	Dan. Mylrea.
Matth. Curphey.	Jon. Taubman.
	Jon. Quayle.
	Dan. Mylrea.

The Keyes.

Jon. Christian,	Matth. Christian,
John Taubman,	William Qualtrough,
Quayle Curphey,	John Moore,
William Murrey,	William Stevenson,
Tho. Gawne,	Edward Christian,
John Frissell,	James Moore,
Tho. Fargher,	Tho. Radcliffe,
Phi. Moore,	John Oates,
Dan. Lace,	Richard Tyldesley,
Tho. Christian,	John Clucas.

INSULA MORÆ.

At a Tynwald Court holden at Castle Rushen the twenty-seventh Day of May, in the Year of our Lord one thousand seven hundred and fifty-seven.

An Act to prevent Clandestine Marriages.¹

Whereas great Mischiefs and Inconveniencies have arisen from Clandestine Marriages, Preamble. solemnized sometimes by the beneficed Clergy of this Isle, but more particularly by Foreigners, who have resorted hither for that Purpose in order to obviate and evade the salutary Laws of their own Country against such illegal Practices, by Means whereof the People of this Isle have not only suffered in themselves, but are also become obnoxious to the neighbouring Nations; for preventing whereof for the future, be it enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord of Mann and the Isles, &c. the Governor, Officers, Deemsters, and Keys, at this present Court assembled, and by the Authority of the same,

1. That from and after the Publication of this Act all Banns of Matrimony shall be published in an audible Manner in the Parish Church whereto such Persons to be married shall belong, according to the Form of Words prescribed by the Rubrick prefixt to the Office of Matrimony in the Book of Common Prayer, upon three several Sundays (in which Particular the Parliament of Great Britain *have, have*, in like Manner, thought proper to alter the Rubrick), preceding the Solemnization of Marriage, during the Time of Morning Service, or of Evening Service if there be no Morning Service in such Church upon any of those Sundays, immediately after the second Lesson; and whenever it shall happen that the Persons to be married shall dwell in diverse Parishes, the Banns shall in like Manner be published in the Church belonging to such Parish wherein each of the said Persons shall dwell; and that all other Rules prescribed by the said Rubrick concerning the Publication of Banns and the Solemnization of Matrimony, and not altered as aforesaid, shall be observed; and that in all Cases where Banns shall have

Banns to be published in Parish Church where Persons coming to be married belong. If residing in diverse

¹ Repealed by Marriage Act of 1849.

Parishes, to be published in both.

Seven Days previous notice to Parson.

Strangers must reside 3 Months.

If under Age, Minister not punishable after Banns published, unless Notice given by Parents or Guardians.

Marriage to be solemnized in Parish where Persons reside.

Unless under Special Licence.

Persons solemnizing Marriage without Licence or previous Banns or out of Church or Chapel, guilty of Felony and punishable by Transportation for 14 Years.

If a Stranger or Alien, to be pilloried, and have his Ears cut off, imprisoned and fined.

Marriages solemnized illegally void.

Limitation.

been published, the Marriage shall be solemnized in one of the Parish Churches where such Banns have been published, and in no other Place whatsoever :—Provided always, and it is hereby enacted, That no Parson, Vicar, Minister, or Curate, shall be obliged to publish the Banns of Matrimony between any Persons whatsoever, unless the Persons to be married shall, seven Days at least before the Time required for the first Publication of such Banns respectively, deliver, or cause to be delivered, to such Parson, Vicar, Minister, Chaplain, or Curate, a Notice in Writing of their true Christian and Surnames, and of the House and Houses of their respective Abodes within such Parish, and of the Time they have dwelt, inhabited, or lodged in such House or Houses respectively.

2. And be it further ordered, ordained, and enacted by the Authority aforesaid, That no such Banns of Matrimony as aforesaid shall be published in any Church of this Isle between any Couple, either of the Parties being Aliens or Strangers, who shall resort or come to this Isle, unless such Alien or Stranger shall have resided at least three Months, and one Month in such Parish before such Publication :—Provided always, and be it enacted by the Authority aforesaid, That no Parson, Vicar, Minister, or Curate, solemnizing Marriages after Publication of this Act, between Persons both or one of whom shall be under the Age of twenty-one Years after Banns published, shall be punishable by Ecclesiastical Censures for solemnizing such Marriages without Consent of Parents or Guardians, whose Consent is required by Law, unless such Parson, Vicar, Minister, Chaplain, or Curate, shall have Notice of the Dissent of such Parents or Guardians; and in case such Parents or Guardians or one of them, shall openly and publicly declare, or cause to be declared, in the Church where the Banns shall be so published, and at the Time of such Publication, give his, her, or their Dissent to such Marriage, such Publication of Banns shall be absolutely void.

3. And be it hereby further enacted, That no Licence of Marriage shall, from and after the Publication of this Act, be granted by the Bishop, Vicar-General, or other Person having Authority to grant such Licences, to solemnize any Marriage in any other Church or Chapel than in the Parish Church of, within, or belonging to such Parish in which the usual Place of Abode of one of the Persons to be married shall have been within the Space of three Months immediately before the granting of such Licence, and in no other Place whatsoever: Provided always, that nothing herein contained shall be construed to extend to deprive the Bishop and his Successors of the Right of granting Special Licences to marry at any convenient Time or Place, so that the said Licence be under his own proper Hand and Seal Episcopal. And it is hereby enacted, That such Licences for solemnizing Marriages shall not be valid, unless the same be under the Hand and Seal of the Persons authorized to grant such Licences respectively, and that no such Licences shall be granted to any Person whatsoever but according to the Directions of the several Ecclesiastical Canons of one thousand six hundred and three, relating to Marriages.

4. And whereas many Persons do solemnize Matrimony without Publication of Banns or Licence of Marriage first had and obtained as aforesaid; therefore for prevention thereof be it enacted by the Authority aforesaid, That if any Person shall from and after the Publication of this Act solemnize Matrimony in any other Place within this Isle, or the Dominion thereof, than in a Church where Banns have been published, unless by Special Licence from the Bishop as aforesaid, or shall solemnize Marriage without Publication of Banns, unless Licence of Marriage be first had and obtained from some Person or Persons having Authority to grant the same as aforesaid, every Person knowingly and wilfully so offending, and being lawfully convicted thereof, or Persons holding any Ecclesiastical Living, or exercising any Ministerial Function in the Church or Chappel of this Isle, shall be deemed and adjudged to be guilty of Felony, and shall be transported to some of his Majesty's Plantations in America for the Space of fourteen Years; and if such Person solemnizing Marriage contrary to this Act be an Alien, Foreigner, or Stranger, and not of the Ministry of this Isle, and convicted as aforesaid, such Alien shall be publicly exposed with his Ears nailed to a Pillory to be erected for that Purpose at Castletown Cross upon the next Court Day of General Gaol Delivery after such Conviction at twelve o'Clock at Noon, and there to remain for the Space of one Hour, when his Ears are to be cut off and remain on the said Pillory, and the said Offender to be returned to Prison in Castle Rushen, there to remain confined until the Governor or his Deputy or Deputies for the Time being shall think proper to release him, upon paying a Fine not exceeding the Sum of fifty Pounds, and abjuring this Isle; and all Marriages solemnized from and after the Publication of this Act in any other Place than a Church, unless by Special Licence as aforesaid, or that shall be solemnized without Publication of Banns, or Licence of Marriage from a Person or Persons having Authority to grant the same first had and obtained, shall be null and void to all Intents and Purposes whatsoever: Provided, that all Prosecutions for such Felony shall be commenced within the Space of three Years after the Offence committed, (the Offender residing continuing within this Isle during that Period of Time and the Jurisdiction thereof.) And further, that it shall not be necessary in Support of Marriages solemnized respectively as aforesaid to give any Proof of the actual

Dwelling of the Parties in such Parish where the Banns were published, or where the Marriage is by Licence, it shall not be necessary to give any Proof that the usual Place of Abode of one of the Parties for the Space of three Months as aforesaid was in the Parish where such Marriage was solemnized; nor shall any Evidence be taken in either of the said Cases, or be received to prove the contrary in any Suit touching the Validity of such Marriage.

5. And it is hereby further enacted, That all Marriages solemnized by Licence after the Publication of this Act, where either of the Parties, not being a Widower or Widow, shall be under the Age of twenty-one Years, which shall be had without the Consent of the Father of such of the Parties so under Age, if then living, first had and obtained, or if dead, of the Guardian or Guardians of the Person or Party so under Age lawfully appointed, or one of them, and in case there shall be no such Guardian or Guardians, then of the Mother, if living and unmarried), or if there shall be no Mother living or unmarried, then of the Guardian or Guardians of the Person, shall be absolutely null and void to all Intents and Purposes whatsoever: And if the Guardian or Guardians, Mother or Mothers, of the Parties to be married, or one of them, so under Age as aforesaid, be *non compos mentis*, or in Parts beyond the Seas, or by unreasonable or undue Motives be induced to abuse the Trust reposed in him, her, or them, by refusing or withholding his, her, or their Consent to a proper Marriage, it shall and may be lawful for any Person so desirous of marrying, in any of the before-mentioned Cases, to apply by Petition to the Governor of this Isle, or his Deputy or Deputies for the Time being, who is and are hereby empowered to proceed upon such Petition in a summary Way; and in case the Marriage proposed shall upon Examination appear to be proper, the said Governor, or his Deputy or Deputies for the Time being, shall judicially declare the same to be so by Order of Court, and such Order shall be deemed as good and effectual as if such Guardian or Guardians, or Mother of the Person so petitioning, had consented to such Marriage.

6. And for preventing undue Entries and Abuses in Registers of Marriage, be it enacted by the Authority aforesaid, That from and after the Publication of this Act, and from the Time afterwards as there shall be Occasion, the Churchwardens of every Parish in this Isle shall provide proper Books, in which all Marriages and Banns of Marriage respectively there published and solemnized shall be registered, and every Page thereof shall be marked at the Top with the Figure of the Number of every such Page, beginning at the second Leaf with the Number One, and every Leaf or Page so numbered shall be ruled with Lines at proper and equal Distance from each other; and all Banns and Marriages published or celebrated in any Parish Church within this Isle, shall be respectively entered, registered, or written upon such ruled Lines, and shall be signed by the Parson, Vicar, Minister, or Chaplain, or Curate, or some other Parson in his Presence and by his Direction, and such Entries shall be made as aforesaid in successive Order; and all Books provided as aforesaid shall be deemed to belong to every Parish respectively, and shall be carefully kept and preserved for publick Use. And in order to preserve the Evidence of Marriages, and to make the Proof thereof more certain and easy, and for the Direction of Ministers in the Celebration of Marriages and Registering thereof, be it enacted, That from and after the Publication of this Act, all Marriages shall be solemnized in the Presence of two or more credible Witnesses, besides the Minister who shall celebrate the same, and that immediately after the Celebration of every Marriage an Entry thereof shall be made in such Registry to be kept as aforesaid; in which Entry or Register it shall be expressed, that the said Marriage was celebrated by Banns or Licence, and if both or either of the Parties married by Licence be under Age, with Consent of Parents or Guardians as the Case shall be, and shall be signed by the Minister with his proper Addition, and also by the Parties married, and attested by such two Witnesses, with their proper Additions; which Entry shall be made in the Form or to the Effect following; that is to say,

A. B. of { *the* } Parish

and C. D. of { *the* } Parish

were married in this { *Church* } by { *Banns* } with Consent of { *Parents* } this

Day of in the Year by me T. T. { *Rector* }
{ *Vicar* }
{ *Curate* }

This Marriage was solemnized between us A. B. in the Presence of E. F.
C. D. G. H.

7. And be it further enacted by the Authority aforesaid, That if any Person shall from and after the Publication of this Act, with an Intent to elude the Force of this Act, knowingly or wilfully insert, or cause to be inserted, in the Register Book of such Parish as aforesaid, any False Entry of any Matter or Thing relating to any Marriage,

Marriages solemnized between Persons under Age, without Consent, void.

Governor may give Consent on Petition.

Registry Books to be provided in every Parish.

Register to be signed by Clergyman.

Marriages to be solemnized in the presence of two Witnesses.

Form of Entry.

Forging Entry of Marriage,

or making a false Copy, or destroying Register, Felony and Death.

Publication of Act.

Vicar General or Surrogate, to be sworn, and enter into Bond to execute Office faithfully. Fees.

or falsely make, alter, forge, or counterfeit, or cause or procure to be falsely made, altered, forged, or counterfeited, any such Registry or Act, or assist therein, or utter or publish as true, any such false, altered, forged, or counterfeited Registry or Licence as aforesaid of Marriage, or any Copy thereof, knowing the same to be so; or if any Person shall from and after the Publication of this Act wilfully destroy, or cause or procure to be destroyed, any Registry or Book of Marriages, or any Part of such Registry Book, with Intent to avoid any Marriage, or subject any Person to any of the Penalties of this Act, every Person so offending, and being thereof lawfully convicted, shall be deemed and adjudged to be guilty of Felony, and shall suffer Death as a Felon.

8. And be it further enacted by the Authority aforesaid, That this Act shall be publickly read in all Parish Churches and Chappells by the Parson, Vicar, Minister, Chaplain, or Curate of the several and respective Parish Churches of this Isle, on some Sunday immediately after Morning Prayer, or immediately after Evening Prayer, if there shall be no Morning Service on that Day, on the first Sunday in each of the four several Months immediately after the Publication of this Act, and once every three Months afterwards for the Term of two Years immediately following the said fourth Publication, to the End and Intent that no one may plead Ignorance of this Act, and the several Matters and Things herein contained. And be it enacted by the Authority aforesaid, That no Vicar-General or Surrogate deputed by the Bishop of this Isle to grant Licences of Marriage as aforesaid, shall grant any such Licences before he hath taken an Oath before the said Bishop faithfully to execute his Office according to Law to the best of his Knowledge, and hath given Security by his Bond, in the Sum of one hundred Pounds, to the said Bishop for the due and faithful Execution of his Office; and for such Licence, and all other the necessary Writings and Trouble required by this Act in and about the same, such Vicar-General or Surrogate appointed as aforesaid shall and may lawfully demand and receive the Fee of one British Crown for every Licence.

Jon. Taubman.
Ro. Radcliffe.

Basil Cochrane.
Mark Sodor and Mann.
Dan. Mylrea.
John Quayle.
Dan. Lacey.

Quayle Curphey,
William Murrey,
George Moore,
Philip Moore,
John Frissell,
Matthew Christian,
Tho. Radcliffe,
John Clucas,

John Taubman,
Tho. Gawne,
William Cubbon,
William Qualtrough,
Richard Tyldesley,
Tho. Fargher,
David Harrison.

Atholl House, the 11th Day of June, 1757.

I do allow of and confirm the beforewritten Act contained in this and the three preceding Sheets of Paper, to wit, An Act, intituled, "An Act to prevent Clandestine Marriages," according to my Prerogative in that Behalf, and do order that the same be proclaimed upon the Tynwald Hill according to the ancient Form and Custom of my Isle of Mann.

ATHOLL and STRANGE.

At a Tynwald Court holden at St. John's Chappell the 5th Day of July, Anno Domini 1757.

The beforegoing Act contained in this and the three preceding Sheets of Paper, being allowed of and confirmed by His Grace the Lord of this Isle, was this Day publickly proclaimed upon the Tynwald Hill pursuant to the above Order, and according to the antient Form and Custom of this Isle; in Testimony whereof we have subscribed our Names in the said Court.

Ro. Radcliffe.
Matth. Curghey

Jon. Taubman.
Dan. Mylrea.
Mark Sodor and Mann.
John Quayle.
Dan. Lacey.

The Keys.

Quayle Curphey,
Jon. Christian,
Tho. Christian,
George Moore,
Philip Moore,
William Murrey,
Tho. Radcliffe,
Tho. Fargher,
Jon. Clucas,

John Taubman,
William Stephenson,
Edward Christian,
David Harrison,
Richard Tyldesley,
Thomas Gawne,
John Frissell,
Matthew Christian.

INSULA MONÆ.

At a Court holden at Castle Rushen the 20th day of October, in the Year of our Lord one thousand seven hundred and fifty-seven, before the Honourable Basil Cochrane, Esquire, Governor, the Council, Deemsters, and Keyes of this Isle.

CHAPTER I.

An Act for the Removeal and Rebuilding of the Parish Church of Kirk Arbory.¹

Whereas the Parish Church of Kirk Arbory is in a ruinous Condition and too small and incommodious for the Congregation, to the great inconveniency of the severall Inhabitants of the said Parish, who are desirous for the Reasons afforesaid, and also to avoid the Indecency and Nuisance of having Funerals and Interments in the Body of their Church, and have therefore by Petition² prayed that they may have an Act of Tynwald to enable them to take down the said old Church, and instead thereof to build a decent and convenient Church on the North Side of the said old Parish Church, and within the Precincts of the Church-yard thereunto belonging, pursuant to the Resolution and Recommendation of the Governor, Council, Deemsters, and Keys for that Purpose, dated the twenty-seventh Day of May one thousand seven hundred and fifty-seven, and His Grace the Lord of this Isle having upon such Representation approved of so good and desirable a Work, be it ordered, ordained, and enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. the Governor, Council, Deemsters, and Keys, in this present Court assembled, and by the Authority of the same,

Preamble.

1. That it shall and may be lawfull to and for the Vicar and Wardens of the said Parish of Kirk Arbory to take down the said old Parish Church, and to erect and build a new Church more commodious and convenient for the said Parish at the North Side of the said old Church, and within the Church-yard as afforesaid :

New Church to be built.

2. And further, that it shall and may be lawfull for the said Vicar and Wardens to expend and lay out all charitable Contributions to the said Work in the purchasing of Materials and the Building of the said Church ; and in case such Contributions shall not be sufficient to finish and compleat the said new Church, and the other necessary Work in and about the same, that then they shall and lawfully may consider of and conclude upon a general Assessment of the said Parish according to the Proportions formerly used and accustomed within the said Parish, of all which Receipts and Disbursements they the said Vicar and Wardens are to keep a full and fair Account, to be produced to the Right Reverend the Lord Bishop of this Isle when required ;

Charitable Contributions to be laid out.

3. And the said new Church, when finished and consecrated, shall be called, esteemed, and taken as the Parish Church of Kirk Arbory, and as such to be supplied, served, made use of, repaired, and amended from Time to Time for ever hereafter as Occasion shall require.

Name of Church, &c.

4. And be it further ordered and enacted by the Authority afforesaid, That no Manner of Person or Persons, upon any Pretence whatsoever, shall interr or cause to be inter-

Corpses not to be interred in Church.

¹ Spent except sects. 3 and 4.

² Petition recorded with original Act.

red any Corps in the Body of the said intended Church, but that the same shall be preserved from such Inconvenience and Nuisance for the future.¹

Jon. Taubman.
Dan. Lace.

Basil Cochrane.
Dan. Mylrea.
Jon. Quayle.
John Frissell.

The Keyes.

Tho. Heywood,
Phi. Moore,
William Qualtrough,
John Taubman,
Tho. Gawne,
George Moore,
John Moore,
John Clucas,

Tho. Fargher,
Edward Christian,
Tho. Radcliff,
William Cubbon,
William Stephenson,
Matth. Christian,
David Harrison.

CHAPTER II.

An Act for the Currency of Copper Pence and Halfpence.²

Preamble.

Whereas upon the Scarcity of Brass Money and want of Change within this Island it was the general Request and Desire that His Grace the Lord of this Isle would be pleased to supply this Defect by procuring a Coinage of Brass or Copper Money for the Use of this Island, and to be current here; and forasmuch as His Grace hath been pleased to comply with the said Request, and hath accordingly sent over two hundred and fifty Pounds in Copper Pence, and one hundred and fifty Pounds in Copper Halfpence, be it therefore ordered, ordained, and enacted by his said Grace James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. the Governor, Council, Deemster, and Keys in this present Court assembled, and by the Authority of the same,

New Copper Coin, to be current.

1. That the above-mentioned Sums of two hundred and fifty Pounds in Copper Pence and one hundred and fifty Pounds in Halfpence shall at all Times after this Day be current and passable in Change within this Island (in all Receipts and Payments) for Pence and Halfpence as aforesaid according to the Currency of this Isle, and that the same shall be received at that Value into and paid out of His Lordship's Treasury at the same Value in Receipts for Rents and other Revenues, and in the paying out of Salaries and other necessary Disbursements.

Counterfeiting, Felony and Death.

2. And it is further ordered, ordained, and enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall be guilty of counterfeiting any of the said Pence or Halfpence, or be aiding or assisting therein, or in bringing into this Isle, or uttering or paying any such false or counterfeit Pence or Halfpence, knowing the same to be so, and be lawfully convicted thereof, such Person or Persons so offending and convicted as aforesaid shall be adjudged, deemed, and taken to be guilty of Treason, and suffer Death as a Felon; and all and singular his Lands, Tenements, Goods, and Chattels, shall excheat and be forfeited to His Grace the Lord of this Isle, and his Heirs, as in case of Treason:³

Each Year, Copper to be brought to Captains of Parishes to be counted. Fine in default.

3. And the better to find out whether there be any Counterfeits either made or carried into this Island, it is hereby further ordered, enacted, and declared, That on the second Thursday in June in every Year all and every Person or Persons who shall have any of the said Copper Pence or Halfpence, or such other as is hereby declared and continued lawful and current Copper Coin in their Custody, shall bring in the same into the Captain of their respective Parishes to be counted and reckoned by him, and an Account thereof to be returned by the said Captain unto the Governor, Deputy-Governors, or Receiver for the Time being, what Quantity of the said Money is within the said several and respective Parishes; and if any Person or Persons shall fail or neglect to bring in what Pence or Halfpence he hath in his Custody to be so counted and reckoned as aforesaid, such Person or Persons so neglecting shall be fined in twenty Shillings, besides other Punishment such as his Obstinacy or Neglect shall merit:

¹ Penalty for breach of this enactment under the Burials Act, 1881, sec. 9

² Manx Copper Coinage abolished by Act of 1840.

³ Repealed by Criminal Code of 1817.

4. Provided always, and be it further enacted by the Authority aforesaid, That Former nothing herein contained shall impeach, prejudice, or invalidate the Currency of the currency Coinage of Pence and Halfpence made and by Law established in the Year one thousand seven hundred and thirty-three; but the same shall be and is hereby continued current not invalidated. as formerly.

John Taubman.
Dan. Lace.

Basil Cochrane.
Dan. Mylrea.
Jon. Quayle.
John Frissell.

The Keyes.

Tho. Heywood,
John Clucas,
Philip Moore,
William Qualtrough,
Tho. Gawne,
Matth. Christian,
Tho. Fargher,
David Harrison,

Tho. Radcliff,
John Moore,
William Cubbon,
John Taubman,
William Stevenson,
Edward Christian,
George Moore.

CHAPTER III.

An Act for awarding Costs on litigious and vexatious Lawsuits.

Whereas many groundless and vexatious Actions of Ar- Preamble.

rest and Injunction have been commenced in the Court of Chancery of this Isle, and also Actions and Suits both at Law and in Equity brought and prosecuted upon the most frivolous and trivial Occasions, and often without the least Equity or Cause of Action or Complaint, and several evil-disposed Persons, out of a litigious Disposition, will not discharge or satisfy the Debts, Dues, Claims, or Demands by them really and justly owing, without necessitating a Party to recover the same by Course of Law, to the unnecessary Trouble and Perplexity of the several Courts, Judges, and Magistrates of this Isle, to the great Grievance, Expence, and Loss of the Party so obliged to defend such vexatious Actions, or prosecute such litigious Persons aforesaid, and to the great Inconvenience, Trouble, and Charge as well of Jurors as of the several Persons who are called upon as Witnesses in such litigious and vexatious Causes; and whereas a certain Act made and passed in the Year one thousand seven hundred and thirty-six for allowing Costs and Damages occasioned and incurred by frivolous and vexatious Acccons, hath been found insufficient to prevent such injurious Practices, as the Relief thereby prescribed is too tedious and ineffectual, and not worth the injured Complainant's Time and Expence to pursue the same; be it therefore ordered, ordained, enacted, and declared by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. the Governor, Council, Deemsters, and Keys, in this present Court assembled, and by the Authority of the same,

Act of 1736
insufficient.

Judges to
have Power
to award
Costs.

Execution
for same.

1. That from and after the Publication of this Act it shall and may be lawful to and for the Governor or his Deputy or Deputies for the Time being, whether in the Court of Chancery or any other Court or Courts, or upon any Hearing or Trial wherein he or they shall in a judicial Manner preside, and also to and for all other Courts, Judges, and Magistrates, as well Spiritual as Temporal, who now have or hereafter shall or may have legal Authority and Jurisdiction of holding Courts and hearing and determining Accons, Complaints, Suits, or Pleas of any Sort whatsoever within this Isle, upon full Hearing thereof, severally and respectively to award such Costs, Charges, Damages, and Expences to be paid to any injured Party, whether Complainant or Defendant, by such other Party as shall appear upon such Hearing or Trial to have brought such vexatious Accon, or Suit, or litigiously defended such Accon or Suit necessarily brought as aforesaid, as the said Governor or his Deputy or Deputies, or other Court, Judge, or Magistrate, as well Spiritual as Temporal, shall in their judicious Consideration think proper to award and allow; which said Costs, Charges, Damages, and Expences the said Governor or his Deputy or Deputies, or other Court, Judge, or Magistrate as aforesaid, shall and lawfully may grant immediate Execution to any Party, Juror, Witness, or other Person injured or aggrieved against such Party Complainant, Plaintiff or Defendant, and the same shall be levied, raised, and paid by such Person against whom the same shall be awarded in as full and ample Manner to all Intents and Purposes as any other Decree, Order, Judgment, or Execution whatsoever within this Isle:

Decree to be
granted in

2. And forasmuch as it hath been hitherto the Practice of the said Court of Chancery to compel a Defendant within the Jurisdiction of the said Court to a personal Appearance the fourth Court Day after the Accon is taken out by Military Aid, and not to examine any Witnesses, or proceed to a Decree in any Cause, unless all Parties within the Jurisdiction are present, either personally or by their Attorneys lawfully authorized, which Practice hath occasioned Delay of Justice, and been a great Hardship and Loss to a Complainant, who is always obliged to attend, and by the Defendant's Triflings and Evasions kept out of his just Demands; for Prevention whereof, and for the more speedy and certain Hearing and Determination of Causes in the said Court, be it ordered, enacted, and declared by the Authority aforesaid. That from and after the Publication of this Act it shall and may be lawful to and for the said Governor or his Deputy or Deputies to take Cog-

nizance of any Cause, and to examine Evidence therein, and finally to hear and determine the same, and proceed to a Decree at any such fourth Chancery Court hereafter to be holden in the Defendant or Defendants Absence or Non-appearance; provided it appears by Matter of Record and Certificate that the Defendant or Defendants hath or have been regularly and legally summoned to the said several Courts, and stood out the several Attachments and Processes of Contempt, any Law, Custom, Practice, or Usage to the contrary hereof in anywise notwithstanding:

3. Provided nevertheless, That any Person or Persons conceiving himself aggrieved by any of the inferior Courts or Magistrates of this Isle in awarding extravagant Damages and Costs, he, she, or they may, upon Application to the Governor or Deputy Governors for the Time being, have the same further heard and considered of in Chancery, where it may be mitigated and rectified, or otherwise enforced as to the Governor or his Deputy shall seem reasonable and just, which is to be final and decisive in the Premises without further Relief or Hearing by Appeal or otherwise, any Law, Custom, or Practice to the contrary notwithstanding.

Chancery
upon fourth
Court Day,
for default of
Defendant's
Appearance.

Appeal to
Governor
for Mitiga-
tion of Costs,
&c.

Jon. Taubman.
Dan. Lace.

Basil Cochrane.
Dan. Mylrea.
John Quayle.
John Frissell.

The Keys.

Tho. Heywood,	Quayle Curphey,
George Moore,	John Frissell,
William Qualtrough,	Jon. Christian,
William Cubbon,	Matthew Christian,
William Stephenson,	Philip Moore,
Thomas Gawne,	John Moore,
Tho. Radcliffe,	Jon. Clucas,
Tho. Fargher,	John Taubman.
David Harrison,	

At London, the 24th Day of February, 1758.

I do allow of and confirm the beforegoing three Acts contained in this and the preceding Skin of Parchment, the first, intituled, "An Act for the Removeal and Rebuilding the Parish Church of Kirk Arbory;" the second, intituled, "An Act for the Currency of Copper Pence and Halfpence;" and the last, intituled, "An Act for the awarding Costs on litigious and

“vexatious Law Suits,” according to my Prerogative in that Behalf, and I do order that the said Acts be proclaimed upon the Tynwald Hill according to the ancient Form and Custom of the said Isle.

ATHOLL and STRANGE.

INSULA MONÆ.

At a Tynwald Court holden at Castle Rushen the 13th Day of Aprill in the Year of our Lord one thousand seven hundred and fifty-eight, before the Honourable Basil Cochrane, Esquire, Governor, the Council, Deemsters, and Keys of Isle, in this present Court assembled.

CHAPTER IV.

An Act for lycensing Stranger Pedlars and Chapmen.

Act of 1742
expired.

Present Act
to be in force
16 Years.

Pedlars sub-
ject to £5
Penalty for
selling with-
out Licence.

£1.4s. 6d. for
Licence, to
be applied
for Bridges.

Pedlar to
carry Licence
with him.

Pedlar refus-
ing to pro-
duce his
Licence,

Whereas by an Act made and published at a Tynwald Court holden at St. John's Chappel the nineteenth Day of April, which was in the Year of our Lord one thousand seven hundred and forty two, it was ordained and enacted, That no Pedlar or Chapman, being Strangers, should from and after the twenty-ninth Day of September then next following, for and during the Term of thirteen years, be suffered to travel about to sell his or their Goods in or through this Isle without the Governor's Lycence first had and obtained in Writing for that Purpose; and whereas the said Act while in force was of great Benefit and Service, and since the Expiration thereof great Detriment and Inconveniences have arisen to the People of this Isle, which sufficiently proves the Expediency of having the said Act revived. Be it therefore ordered, ordained, and enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. by and with the Consent of the Governor, Council, Deemsters, and Keys, in this present Court assembled, and by the Authority of the same,

1. That from and after the Publication of this Act, for and during the full Term and Space of sixteen Years thence next ensuing fully to be compleat and ended, no Pedlar, Chapman, or travelling Dealer, or other Person being a Stranger, shall be permitted or allowed to go about the Country with Goods, Wares, or Merchandize, in order to vend or sell the same without having the Governor's Licence in Writing for that Purpose, upon Pain and Forfeiture of the Sum of five Pounds, one Half to the Lord of this Isle, and the other Half to the Informer, to be levied by Execution from the Court after Hearing and Proof made of the Information and Judgment given therein; and that the Oath of the Buyer or Buyers shall be sufficient to convict the Offender or Offenders, and the said Execution to extend as well to the Person or Persons as their Goods and Effects till full Satisfaction be made of the said Forfeiture; and whenever any such Information shall be lodged, the Person or Persons informed against shall be holden to Bail by Order from the Governor or his Deputy or Deputies for the Time being for such Offender or Offenders' Appearance to answer the same.

2. And be it further enacted by the Authority aforesaid, That when any such Pedlar, Chapman, or travelling Dealer shall apply to the Governor for a Licence, he shall be obliged to pay, besides the fee of one Shilling British for writing out such Licence, the further Sum of twenty-four Shillings and Sixpence, to be secured and applied in Augmentation of the Fund appropriated by Law for the Building and Repairing of Bridges, or to such other Publick Use for the common Good of the Country as the Governor, Council, Deemsters, and Keys shall from Time to Time think most proper; which said Licence is to continue and be of Force and Effect for the Term and Space of one Year, taking Commencement from the Date thereof and no longer.

3. And for the more effectual carrying this Act into Execution, it is hereby enacted and declared, That all and every such Pedlar, Chapman, or Dealer shall be and is hereby obliged to carry along with him, when travelling and selling his Goods as aforesaid, his said Licence for that Purpose, and shall produce and shew the same upon Demand unto the Governor or his Deputy or Deputies for the Time being, or unto the Officers, Deemsters, or Keys, and also to the Captains of the several Garrisons and Parishes, Deputy Searchers or Coroners of this Isle, who are hereby authorized to demand and examine the same; and that such Pedlar may not plead Ignorance hereof, it is ordered and directed that the same shall be mentioned and specified in such Licences respectively; and in case any such Pedlar, Chapman, or travelling Dealer shall neglect or refuse to produce and shew his Licence, that then and in that Case his Goods and Effects may be detained by such Person, who by virtue of this Act shall demand a View

of the said Licence until such Times as a proper Arrest and Authority can be obtained from the Governor for that Purpose, or untill a proper Licence is produced.¹

4. And forasmuch as there are daily Complaints of great Losses and Nuisances occasioned by Dogs by worrying Sheep and Lambs, and doing other Damage in this Isle, and that the legal Relief against the same hath been found very tedious and insufficient, for the more speedy and effectual Remedy whereof, be it ordered, ordained, and enacted by the Authority aforesaid, That from and after the Publication of this Act, upon the first Instance and Complaint of any Damage being done by any Dog or Dogs belonging to or harboured by any Person, and Proof thereof being made by the Testimony of one single Witness, or by strong Circumstances before the Deemster, who is hereby authorized and empowered to take Cognizance thereof, or to direct the same to be inquired into by a Jury, as he shall in his Discretion think most proper, and afterwards to judge of the Fact and award the Damage and thereupon to grant Execution against such Person or Persons keeping, harbouring, or encouraging such Dog or Dogs in or about their Houses, who shall appear to have done such Damage as aforesaid, for the said Loss and Damage, estimating and computing a Mutton after the Rate of five Shillings, a Sheep four Shillings, and a Yearling and a Lamb at three Shillings severally and respectively, and also order the said Dog or Dogs to be forthwith hanged or destroyed; and in case the Fact cannot clearly be made to appear against such Dog or Dogs in Manner aforesaid, but there shall be Circumstances that any Dog complained of is any way suspicious of the Fact, or annoying the High Roads, that then the said Deemster lawfully may order such Dog or Dogs to be forthwith hanged or destroyed, any Order, Ordinance, Custome, or Practice to the contrary in anywise notwithstanding.²

Goods and
Effects may
be detained.

Dogs worry-
ing Sheep.

Damages
done to
Sheep re-
coverable
before Deem-
ster, and Dog
to be hanged.
Troublesome
Dogs to be
hanged.

Jon. Taubman.

Basil Cochrane.

Dan. Mylrea.

John Quayle.

The Keys.

Tho. Heywood,
Quayle Curphey,
Tho. Christian,
William Qualtrough,
John Taubman,
John Lucas,
William Cubbon,
Richard Tyldesley,

William Stevenson,
William Murrey,
Tho. Fargher,
John Moore,
Edward Christian,
James Moore,
David Harrison.

At London, the 18th Day of May, 1758.

I do allow of and confirm the foregoing Act for licensing Stranger, Pedlars, and Chapmen, according to my Prerogative within my Isle of Man, and do order that the said Act be proclaimed upon the Tynwald Hill according to the antient Form and Custom of the said Isle.

ATHOLL and STRANGE.

At a Tynwald Court holden at St. John's Chappell the 5th Day of July, 1758.

The four foregoing Acts being allowed of and confirmed by His Grace James Duke of Atholl and Lord of this Isle, &c. were this Day publicly published, promulged, and proclaimed upon the Tynwald Hill according to the antient Form and Custom of this Isle; as witness our Subscriptions,

Ro. Radcliffe.
Matth. Curphey.

Jon. Taubman.
Dan. Lacc.

Basil Cochrane
Dan. Mylrea.
John Quayle.
John Frissell.

The Keys.

Tho. Heywood,
William Murray,
Philip Moore,
John Christian,
John Taubman,
Matthew Christian,
John Frissell,
Tho. Radcliffe,
William Cubbon,
William Stephenson,

Tho. Gawne,
John Oates,
David Harrison,
John Moore,
Richard Tyldesley,
Tho. Fargher,
Edward Christian,
Quayle Curphey,
John Lucas,
Tho. Christian.

¹ Expired 1774.

² Repealed by Act of 1852.

INSULA MONÆ.

At a Tynwald Court holden at Castle Rushen the thirteenth Day of May, 1763, before the Honourable John Wood, Esquire, Governor of the said Isle, the Council, Deemsters, and Keys in Court assembled.

An Act for the Draining of Loughs and Stagnations of Water, and also for making Stone-wall Boundaries, and for other Purposes.

[I. DRAINAGE, BOUNDARY WALLS, SERVANTS WAGES and ATTORNEYS.]¹

Stagnated
Water.

Whereas it has been observed that the several Loughs and Stagnations of Waters in diverse Parts and Places of this Isle are not only obnoxious and Nuisances to the Publick Weal, but also of great Loss and Detriment to the several Proprietors of Land whereon the Water so lie, as the said Waters cover and spoil the Lands, and the Proprietor can reap little or no Benefit or Advantage therefrom; and forasmuch as some refractory Persons, by not keeping proper Drains or scouring their Ditches in a good and sufficient Manner so as to carry the stagnated Waters from off the said several Lands, have been the Occasion of the said Nuisances, and Loss to the Publick in general; and whereas the same hath been so notorious and appeared to be so necessary to be immediately remedied, that an Ordinance passed to the Effect and Purpose hereinafter mentioned, which hath already shewed the good Effects and the Necessity of establishing the same by Law; be it therefore ordered, ordained, enacted, and declared by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. with the Advice and Consent of the Governor, Council, Deemsters, and Keys of the said Isle, in this present Court assembled, and by the Authority of the same,

Committee
of Six to view
Lands and
give Orders
in Writing to
Proprietors
to make
Drains to
carry off
Water.

1. That wheresoever there shall appear to be any Grounds overflowed with Water, or any Ways expedient or necessary to be drained, and Notice thereof be given to a Committee to be annually nominated at a Tynwald Court, composed of three Persons for the North Side, and three Persons for the South Side of this Isle, who are to Act in their several and respective Divisions according to the Directions of this Act, two of whom are to make a Quorum, that then such Committee appointed as aforesaid, or a Quorum of them in their respective Divisions, shall, upon view of the said Ground, by Order in Writing, direct the several Proprietors of the Lands through which the proper Course of such Water passes or adjoins, without any Distinction of Quarterland, Cottage, or Intackholders, to begin at the Foot or Vent of such Drain, whether it be the Sea or a River, or at such Fall as shall appear to the said Committee to be sufficient and proper effectually to carry off such Waters, Stagnations, or Boggs, in a proper Channell and due Levell; and whatever Orders, Directions, Rules, or Regulations the said Committee shall see necessary and proper to be done in the Premises, shall be decisive and binding upon all Parties without further Proceedings or Delay;

In Default
of Proprie-
tor, Com-
mittee may
employ Per-
sons to exe-
cute Drains.

2. And in Case any Person or Persons shall be refractory or disobedient to the said Orders and Directions of the said Committees respectively, that then it shall and may be lawful to and for the said Committees, or any two of them in their several and respective Divisions, by Note or Memorandum under their Hands, to nominate, constitute, impower, or appoint any Person or Persons whomsoever, to direct, oversee, and carry on the said Work, beginning at the Foot of the intended Drain, and so up the same as aforesaid through the Grounds of such refractory Persons; and such Person or Persons nominated and appointed as aforesaid to carry on the said Drain, shall, upon producing his Account of the Expences upon Oath before the Deemster in whose Division the said Ground may lie, shall have Execution granted from such Deemster for the full Amount of such Expences, with an Allowance of one Shilling and Twopence per Day for his own or such Overseer's Trouble in superintending and directing the said Work;

Warrant of
Contempt for
obstructing
Persons em-
ployed.
Fine and Im-
prisonment.

3. And in case such refractory Person or others shall obstruct or hinder such Person or Persons appointed by the said Committees respectively as aforesaid in the Execution of this Act, or molest, disturb, or prevent him or them from the Prosecution of the said Work, and carrying on the said Drains pursuant to the Directions of the said Committee, or a Quorum of them, it is hereby enacted and declared, that the said Person or Persons so appointed by the said Committee as aforesaid, upon producing his Orders and a Certificate of the Obstruction and Contempt, it shall and may be lawful for the Governor, or his Deputy or Deputies for the Time being, to grant Execution, and a Soldier to commit the said Offender or Offenders to Castle Rushen, there to remain until he or they give in good and sufficient Security to offer no farther Obstruction or Disturbance in the Premises, and do pay a Fine not exceeding thirteen Shillings and Fourpence before Releasement, which said Fine is to be paid and applied unto and for the Use of the High Roads of this Isle; and in the mean time the said Work to be proceeded and carried on as if

¹ Expired 1768.

no such Obstruction had been made; provided always, and it is hereby enacted and declared, that nothing herein contained shall in any Sort affect, injure, or prejudice any Miln, or any Watercourse, Dam, or Stream of Water appurtenant and belonging thereto, or be of any Loss, Damage, or Detriment to the same in anywise.

4. And whereas by an Act passed in the Year 1691 all Mere and Boundary Fences were directed and enacted to be made of Sods or Trenches of such particular Construction and Dimensions as are found to be scarce practicable in many Soils, and when completed are of short Duration, and at best do not answer the intended and necessary Purposes of a Mere or Boundary, to the great Inconvenience and Hinderance of Husbandry and Improvement, and the Encouragement and unjust Advantage of designing and litigious Trespassors; and forasmuch as it is by Experience found that a Stone Wall is the most serviceable, advantageous, and effectual Boundary Fence to protect the industrious Farmer from the Injuries of his trespassing Neighbour, be it enacted by the Authority aforesaid, That from and after the Publication of this Act any Person or Persons whatsoever who shall be inclined and desirous to make his, her, or their adjoining Neighbour or Neighbours to contribute an equal Expence to the making of the same, or otherwise amicably agree about the doing thereof, may apply to the Deemster for his Authority to charge, impannell, and swear four of the most judicious and reputable Men within the same Sheading to view the Boundary, Hedge, or Ditch complained of, and to estimate, compute, and value according to the best of their Conscience, Skill, and Judgment, not only what Sums, Charges, Damages, and Expences would put such old Boundary Fence into the sufficient Order and Repair, according to the Rule and Dimensions prescribed by the said recited Statute, but also what Costs, Charges, and further Expences will be sufficient to support, maintain, and keep such Fence in the Order and Repair aforesaid for the Term and Space of seven Years next following such said general statuteable Repairation;

5. And upon exhibiting a Copy of the Estimation and Return of which said Jury, the Deemster shall and lawfully may grant Execution against such disagreeing Party for a Moiety or Half Part of such Costs, Charges, Damages and Expences returned by the said Jury, together with the whole Costs and Expences attending the said Suit.

6. And it is hereby enacted by the Authority aforesaid, That the said Plaintiff shall, with the Amount and Value of the Charges returned and paid to him as aforesaid, and at his own proper Expence, with all convenient Speed, erect and build a Boundary Stone Wall, containing two Foot at the least thick at the Bottom, and not less than five Foot in perpendicular Height from such Bottom, with a proper Coping or projecting Stones; and from and after the building or completing thereof the same shall be esteemed, adjudged, deemed, and taken to be the true and lawful Boundary, and as such repaired, amended, and maintained as Boundaries are by the said recited Act provided and directed.

7. And it is hereby further enacted by the Authority aforesaid, That in case such Party, or any other Person or Persons, or their lawful Guardians, Representatives, or Attorneys, shall be inclined and agree to make their Boundary streight to save Expence by shortening the same, or otherwise to suit their mutual Convenience, and shall erect, build, or make a Boundary Wall, Hedge, or Fence, such new streight Boundary shall be for ever thereafter held, reputed, adjudged, taken, repaired, amended, supported, and maintained, as the only true and lawful Mere and Boundary between the said Parties, their Heirs, and Assigns for ever, and no Enquest, Jury, or other Proceedings shall be had to vary, alter, impeach, or invalidate the said Division and Bounds;

8. Provided always, and it is hereby declared and enacted, that this Act shall in no Sort extend or relate to the Demesnes of the Lord of this Isle, or the Boundaries of the Lord's Lands from any Barrony, Parish, or District within this Isle, but that the same shall be maintained, repaired, amended, and preserved by the several Persons and Landowners as heretofore accustomed, any Thing herein contained to the contrary thereof in anywise notwithstanding.

9. And be it further enacted by the Authority aforesaid, That in case the Person desirous to erect a Stone Boundary would have the same made in a direct Line, and his Neighbour refuses to give and take Land so as the said Wall might be made streight, the said Person may apply to the Governor for Liberty to convene the Committee appointed for the regulating of Drains, who are hereby empowered to settle and fix the said Boundary in a streight and direct Line as conveniently as can be without doing any avoidable Injury to either Party, and to act and do herein as the said Committee shall see reasonable and proper, and such Boundary so fixed by them shall be esteemed and taken to be the Mere Fence and Boundary for ever afterwards.

10. And be it further enacted, That the Wages of Servants who shall have faithfully performed their Service within this Isle be preferred in Payment to all other Creditors, except Landlords, with respect to their Rents, as by Law provided; and whereas the Wages due by Law to Yarded Servants is found to be very insufficient, it is therefore enacted, That henceforth Yarded Servants Wages shall be augmented, and that a Man

Mills, &c. not to be injured.

Act of 1691 as to Fences.

Fences to be repaired by Persons adjoining.

Execution for Expences and Costs of Repair.

Stone Boundary to be two Feet Thick, and five Feet High.

Straightening Boundary.

Lord's Boundaries excepted.

Committee for Draining may settle Boundary under Order of Governor.

Servants Wages to be paid in pre-

ference to all Demands but Rent. Servant shall be intituled to have and receive the Sum of forty Shillings, and a Maid Servant shall have twenty Shillings for their Year's Servitude, any former Law or Custom to the contrary hereof notwithstanding.

Attornies not to practice until duly authorized by Governor, &c.

Limitation of Act five Years.

11. Whereas much Litigiousness and Contentions are fomented and carried on by several ignorant and evil-minded Persons, who provoke Law Suits, and pretend to practice as Attorneys therein, though altogether unqualified, to the great Trouble and Perplexity of the several Courts, Judges, Magistrates, and Jurys, and also to the great Inconveniency and Detriment of the Public in general; be it therefore enacted by the Authority aforesaid, That no Person shall after Michaelmas Term next after the Publication of this Act plead in any Suit or Cause whatsoever, or act in the Character of an Attorney before any Court, Judge, Magistrate, or Jury, (except in his own Cause), until he be first duly approved of and admitted by the Governor, Officers, Deemsters, and Keys, or a Committee of them, and afterwards sworn in the Court of Chancery; provided that this Act doth not extend to the Attorney General, or the Keys of this Isle for the Time being, who are not meant or intended to be hereby restrained or affected; and provided also, that the Governor for the Time being, or his Deputy or Deputies, shall nominate and appoint Attorneys of the Court of Chancery as might have heretofore have been done without the Aid of this Act, which is to be of force for the Space of five Years.

[II. ATTORNEYS' FEES.]¹

12. A Table of Fees for Attorneys.

	£	s.	d.
A Retaining Fee	-	-	0 2 11
Drafting and writing fair a Bill in Chancery for each Sheet wrote on all Sides	-	-	0 2 11
Taking out a common Action	-	-	0 0 7
Attendance on the Governor for his Process thereon, and directing the Bill or Action to be served	-	-	0 1 2
Carrying on the Bill, or making a common Motion each Court Day	-	-	0 2 11
Attending the Examination of Witnesses	-	-	0 5 10
If a whole Day, or more, to be allowed each Day	-	-	0 12 3
Preparing Brief for hearing on the Merits	-	-	0 3 4
If long, to be allowed for each Sheet of Writing	-	-	-
Speaking to the Cause on hearing of the Merits	-	-	0 5 10
Drafting and fair Copy of Defendant's Answer, for each Sheet	-	-	0 2 11
Drawing a Replication, Plea, Demurrer, Rejoinder, and such like	-	-	0 2 0
Drawing and preferring a Petition	-	-	0 2 11
Attendance on the Deemster on a common Application	-	-	0 1 2
Attendance before the Deemster on a Hearing	-	-	0 2 11
Attendance on a Jury	-	-	0 2 11
A Journey on Business six Miles, and not exceeding twelve Miles	-	-	0 12 3
A Journey above twelve Miles, and not exceeding twenty Miles	-	-	0 17 6
Attending Business in any of the Courts or before Jurys, or any other Occasion more than one Day, to be paid for each Day	-	-	0 12 3
Drawing a Bill of Sale, a Mortgage, Gift, Settlement, Will, and such like, to be allowed	-	-	0 2 11
Drawing a Personal Bond	-	-	0 1 2
Drawing a Jury's Answer	-	-	0 1 2
Taking Depositions before a Jury, each	-	-	0 0 7
Attending the Common Law Courts on Business	-	-	0 2 11

Any other Article not hereinbefore specified and provided for, to be regulated and taxed by the Court where the Cause is depending.

[III. DOG TAXES.]²

Dogs.

Annual Duty for Dog 1s. for Greyhound or

13. And whereas great Complaints have been made of the Number of useless Dogs kept by the Inhabitants of this Isle, to the great Destruction of Sheep, Lambs, and Goats, and otherwise to the great Nuisance of the Public in general, be it therefore ordered, ordained, and enacted by the Most Noble and Puissant Prince James Duke of Atholl, Lord Strange, Lord of Mann and the Isles, &c. and the Governor, Council, Deemsters, and Keys, in this present Court assembled, and by the Authority aforesaid, That every Person and Persons whatsoever (save as hereafter mentioned), having, encouraging, harbouring, or entertaining any Dog or Dogs of any Species whatsoever in or about their Houses, shall pay for each and every such Dog the yearly Sum of one Shilling, and for each and every Greyhound or Pointer, the yearly Sum of five Shillings and Tenpence; provided always, that this Act doth not extend to the Lord or Governor of

¹ Repealed by Attorneys Act 1777.

² Expired 1768.

this Isle; and that all Persons occupying one Quarterland or more, or twenty Shillings Pointer, Intack Rent or more, and the several Clergy of this Isle for the Time being, may be 5s. 10d. allowed to keep two Dogs; and every Person occupying less than one Quarter of Land, Clergy al- and paying one Shilling Lord's Rent, either in Quarterlands or Intacks, and residing on lowed to keep the Premises, or any Cottler farming Land of the annual Rent of twenty Shillings and two Dogs. upwards, and residing on the Premises, each and every such Person may be allowed and intitled to have and keep one Dog without paying the said Sum of one Shilling for the Council & same: And it is also provided, that the Lord's Council and twenty-four Keys are to be Keys exempt from Tax for three Dogs. exempt and excused from paying any Thing for their Dogs, of what Species soever, not exceeding three Dogs; and in case any shall conceal or deny having, encouraging, or Fines to be applied to Harboursing, any Dog or Dogs, and be thereof convicted, he or they shall pay a Fine of three Dogs. ten Shillings, with Costs of Suit, not exceeding ten Shillings, to the Party complaining; Highways. which said Sum of one Shilling, and five Shillings and Tenpence, and Fine of ten Shillings, shall be paid to the Overseers of the High Roads, who are hereby impowered to levy and collect the same, and to retain five per Cent. to themselves for their Trouble, and the Remainder to be applied for the Repairs of the Highways;

14. And in case the said Overseers wilfully neglect or connive with any Person in levying and collecting of the said one Shilling and five Shillings and Tenpence for such Fine of £3 for Overseers neglect of Duty. Dog or Dogs agreeable to the Tenor and Purport of this Act, he or they are to be fined in three Pounds, to be levied by Execution from the Deemster, one Half to the Informer, and the other Half to be expended on the High Roads;

15. And in case any Dispute shall arise in the Execution of this Act, the same shall be heard and finally determined by and before the Deemster, and the said Overseers are to levy and collect the Money arising in virtue of this Act from Christmas to the Month of May in each and every Year, so as the same may be paid in at the Head Courts in May in each Year;

16. And this Act to continue and be in force for the Space of five Years; provided Limitation of Act five Years. that this Act shall not affect the Lord's Right and Prerogative to the Game of this Isle, and the licencing of Game Dogs as formerly accustomed.

[IV. TRESPASS.]¹

17. And whereas by a Statute Law passed in the Year one thousand seven hundred and five, it is enacted, That if any Person shall find any Cattle, Horses, Sheep, Goats, Swine, or Geese, or any other Goods whatsoever Trespassing upon his Grounds, and shall impound the same, that he shall be entitled to Fourpence for every Beast so trespassing, and one Penny for every Goose, from Lady Day to Michaelmas; and Twopence for every Beast, and an Halfpenny for every Goose, from Michaelmas to Lady Day: And whereas the Satisfaction limited in and by the said Statute for Trespasses is too low and trifling, and so far from being a Penalty to deter such unjust Practices, that it is inadequate to the Loss and Damages sustained, to the great Discouragement of Husbandry and Improvements; be it therefore enacted by the Authority aforesaid, That from and after the Promulgation of this Act so much of the said Statute Law of one thousand seven hundred and five as limits the Satisfaction for Trespasses shall be, and the same is hereby repealed; and the Owners of all Cattle, Horses, or Swine whatsoever found trespassing and impounded as aforesaid, shall, before Releasement (over and besides an Halfpenny a Foot for the Lord and Pinner's Fees), pay unto the Person or Persons trespassed upon Sixpence per Foot in the Summer and Threepence per Foot in the Winter Season, and three Halfpence per Foot in the Summer, and one Penny per Foot in the Winter, for Sheep, Goats, and Geese; Trespass.

18. And in case any Person shall obstruct or prevent any Cattle or other Goods from being impounded, that such Person or Persons, or the Owners of such Cattle or other Goods, shall pay the full Poundage, and also a Fine to the Lord, as by the said recited Act of 1705 repealed. Cattle to pay 6d. per Foot in Summer, and 3d. per Foot in Winter. Limitation of Act five Years. Statute is provided, together with such Costs and Charges as the Deemster shall, upon hearing, think proper to award; and this Act to continue in force for five Years from and after the Promulgation thereof.

[V. STONE TOKENS.]

19. And whereas the Method of Procedure by granting Stone Tokens for Charges and Executions by and from the several Courts, Judges, and Magistrates of this Isle is much liable to Counterfeit, and Irregularities hath been the Cause and Encouragement to Contention and Litigiousness, and also unbecoming the Authority and Solemnity of a Court of Justice, be it therefore enacted by the Authority afore-

¹ Expired 1768.

Stone Tokens
abolished.

Citation to be
in Print or
Writing.

Fee 3d.

Governor's
Tokens to be
in Print or
Writing.

Fee 14
pence.

said, That from and after the Publication of this Act the granting and issuing of Stone Tokens shall absolutely cease and be discontinued, and that instead thereof the several Courts, Judges, and Magistrates of this Isle shall devise, subscribe, issue, and grant a proper Citation or Summons, in Print or Writing, for the convening of Parties or Witnesses before them, or before Jurys, and upon all other lawful Occasions ; and for the extraordinary Trouble that this will necessarily Occasion, the said Judges and Magistrates shall be entitled to have and receive the Sum of Threepence in every Cause by the Party applying and taking out such Citation or Notice, which is to remain of force for the convening the Party until the Cause be finally heard and determined before the said Judge or Magistrate, and the like Sum of Threepence is to be paid for all Presentments or Contempts for Non-appearance ; and that upon granting Execution in such Cause or Causes, which is also to be in Print or Writing, the said Judges and Magistrates shall in their several and respective Districts be entitled to have and receive the Sum of Threepence, including any Sum they have been heretofore entitled unto by Law or otherwise for such Orders, Judgments, and Executions.¹

20. And be it further enacted, That in like Manner all Tokens heretofore granted by the Governor on Bills or Actions in the Court of Chancery shall be in Print or Writing for the citing and convening the Parties or Witnesses to the Court on such Bills or Actions ; which said written or printed Summons or Citation is to stand good and remain of full force for the convening the Parties or Witnesses pending the whole Process of the said Court :

21. And for the Governor's extraordinary Trouble herein, he shall be entitled to have and receive the Sum of Fourteenpence for such his written or printed Authority or Summons to be granted on Bills or Actions as aforesaid.¹

22. And whereas the Viccars General and Judges of the Spiritual Court do now receive the Sum of Sixpence for all Contempts on Non-appearance, which is rather more than other the Judges of this Isle receive and take on such like Occasions, be it therefore enacted, That the said Sum of Sixpence so paid on Contempts for Non-appearance in the Spiritual Courts shall be reduced and lessened, and that the said Judges of the Spiritual Court shall for the future be entitled to only Threepence for Orders on Non-appearance, in regard they are in like Manner to have and receive the like Sum of Threepence for all Summons and Citations in the same Manner as other the Judges and Magistrates of this Isle, as already appointed and directed by this Act.¹

Jon. Taubman.
Dan. Lace.

John Wood.
Dan. Mylrea.
John Quayle.

The Keys.

George Moore,
Philip Moore,
David Harrison,
William Qualtrough,
John Moore,
Tho. Radcliffe,
Tho. Fargher,
Thomas Moore,

Jon. Lucas,
Edward Christian,
Thomas Gawne,
John Frissell,
William Murrey,
William Cubbon,
William Stephenson,
Rich. Amb^{ro} Stevenson.

Dunkeld, the 28th Day of May, 1763.

do assent to, allow of, and confirm the beforewritten Act contained in this and the three preceding Skins of Parchment, intituled, " An Act for the Draining of Loughs " and Stagnations of Water, and also for making Stone Wall Boundaries, and for " other Purposes," according to my Prerogative within my Isle of Man ; and I do order that the said Acts be proclaimed upon the Tynwald Hill according to the antient Form and Custom in the said Isle.

ATHOLL and STRANGE.

At a Tynwald Court holden at Saint John's Chappel the 5th Day of July in the Year of our Lord 1763.

The foregoing Act, intituled, "An Act for Draining of Loughs and Stagnations of " Water, and also for making Stone Wall Boundaries, and for other Purposes," having been assented unto and confirmed by his Grace James Duke of Atholl, Lord of this Isle, was this Day publickly promulged and proclaimed upon the Tynwald Hill according to the antient Form and Custom of this Isle, as witness our Subscriptions.

Ro. Radcliffe.
Matt. Curphey.

John Taubman.

John Wood.
Dan. Mylrea.
John Quayle.
John Quillin.

The Keys.

William Murrey,
Philip Moore,
Quayle Curphey,
Matthew Christian,
Thomas Fargher,
John Moore,
John Clucas,
Edward Christian,

William Stephenson,
Thomas Christian,
David Harrison,
Thomas Radcliffe,
Thomas Gawne,
Thomas Moore,
Rich. Amb^{ss} Stevenson.

ISLE OF MAN, to wit.

At a Tynwald Court holden at Castle Rushen the 18th Day of May, in the sixteenth Year of the Reign of our Sovereign Lord George the Third, by the Grace of God of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord one thousand seven hundred and seventy-six, before the Honourable Richard Dawson, Esquire, Lieutenant Governor, the Council, and Keys of the said Isle.

An Act for the better making, repairing, and amending of the Highways, the draining of Fens and marshy Grounds, the making of Stone Walls and other Boundaries, and for the more effectually preventing of Trespasses.¹

Whereas by an Act of Parliament made in the fifth Year of the Reign of his present Majesty, intituled, "An Act for carrying into Execution a Contract made pursuant to " the Act of Parliament of the twelfth of his late Majesty King George the First " between the Commissioners of his Majesty's Treasury and the Duke and Duchess of " Atholl, the Proprietors of the Isle of Mann, and their Trustees, for the Purchase of " the said Island and its Dependencies, under certain Exceptions therein particularly " mentioned," the said Island, Castle Peele, and Lordship of Mann, and all the Islands and Lordships to the said Island of Mann appertaining, together with the Royalties, Regalities, Franchises, and Liberties to the same belonging, became vested in his Majesty, his Heirs, and Successors; and whereas since the passing of the said Act, his Majesty has been most graciously pleased to grant his Royal Leave and Permission for the re-enacting of certain temporary Acts of Tynwald heretofore made by the Lord Proprietor, the Governor, Council, and Keys, for the interior Government and Police of the said Isle; and whereas an Act of Tynwald made in the Year one thousand seven hundred and twelve, intituled, "An Act for the repairing the Highways within this " Island," having been found ineffectual and insufficient, it became necessary to alter, amend, and in Part repeal the same; and by an Act of Tynwald made in the Year one thousand seven hundred and fifty-three, intituled, "An Act for the better repairing and " amending of the Highways within this Island, and to lay an additional Charge upon " Public-house Licences," the said Act of one thousand seven hundred and twelve was

Revestment
Act recited.

Act of 1712.

Act of 1753.

¹ This Act was amended and in part repealed by the Temporary Highway Act of 1819, continued in force by Acts of 1824 and 1827, and amended and in part repealed by Highway Act of 1830. Sections 14 to 21 inclusive were repealed by Act of 1851. Sect. 23 was repealed by Summary Jurisdiction Act 1864. Whole Act except part of sec. 1 relating to the laying out, making and completing Highways, and part of sec. 7 relating to the digging, taking and carrying away, stones, gravel, sand, and other material for use of Highways repealed by Highway Act of 1874.

accordingly altered, amended, and in Part repealed; which said Act of the Year one thousand seven hundred and fifty-three is now near expiring; and whereas the said Act of one thousand seven hundred and twelve being a perpetual Act, will, upon the Expiration of the said Act of one thousand seven hundred and fifty-three, become revived.

In order to prevent the same, and to carry the Design of the last-mentioned Act more effectually into Execution, and also to comprise the Law relating to the Improvement of the Public Highways throughout this Isle in one Act, it becomes necessary wholly to repeal the said Act of one thousand seven hundred and twelve. We, therefore, the Lieutenant-Governor, Council, and Keys of the Isle of Mann in Tynwald assembled, do, by and with the Permission of the King's Most Excellent Majesty, ordain and enact, and be it by the Permission and Authority aforesaid hereby ordained and enacted,

Act of 1712
repealed.
Committee of
Highways.

1. That the said Act made in the Year one thousand seven hundred and twelve be repealed, and that within one Month next after the Promulgation of this Act, and so from Time to Time afterwards as shall become necessary, the Governor or Lieutenant-Governor, with the Council and Keys, shall nominate, authorize, and appoint a Committee for putting this Act in Execution, consisting of five Persons; and if it shall appear to the said Committee necessary or commodious for the Public to mark and cut through the Lands of any Person or Persons for the Purpose of making a new Highway, or amending and improving any Highway already made, the said Committee, or a Majority of them, shall have full Power and Authority from Time to Time to survey and lay out the Ground for the making and improving of such Highways, and to give such Orders, Directions, and Instructions in Writing for the laying out, making, and compleating such Highways as to them, or a Majority of them, shall appear necessary; provided that the said Highways be not cut through any House, Garden, Orchard, or Yard severally adjoining, or near unto any Dwelling-house, and that the Owner or Owners of such Lands through which such new Highways shall be made, shall receive such reasonable Satisfaction for Damages as the said Committee, or a Majority of them, shall award and adjudge.

Highways
not to be cut
through
Houses or
Garden.

Accounts to
be settled
yearly.

Surveyor
General.

2. And it is further ordered, That the said Committee, or a Majority of them, shall have at all Times hereafter full Power and Authority to give the old Highways to such Owner or Owners of the Lands through which the new Highways shall be made, so far as the same adjoin their respective Properties, in lieu of or in Part Satisfaction for the said new Highways, and the Damages arising to such Owner or Owners thereby; and that the said Committee, or a Majority of them appointed as aforesaid, shall annually settle and adjust all Accounts, Sum and Sums of Money, Receipts and Disbursements to be levied, paid, and expended by virtue of this Act. And that the Governor or Lieutenant Governor of the said Isle shall and may from Time to Time, by Writing under his Hand and Seal, nominate and appoint one or more fit Person or Persons to be Surveyor or Surveyors General of the Highways to act for and under the said Committee, with Power to view and survey the making of Highways, to be laid out, amended, and compleated by Virtue and in Pursuance hereof; and also to give the necessary Directions to the several parochial Surveyors of the Highways hereinafter appointed in the Execution of their Duty under this Act, and to procure and employ Workmen, Horses, Implements, Materials, and other Necessaries for such Purposes as he or they shall find needful.

Coroners to
return Names
for parochial
Surveyor.

3. And it is hereby further ordained and enacted by the Permission and Authority aforesaid, That the Coroners within the said Isle shall, when thereunto required by a Surveyor General, return to him the Names of proper Persons to serve as parochial Surveyors of the Highways within the several and respective Parishes; which parochial Surveyors are to be approved of by a Surveyor General, as also by a Deemster, who is hereby ordered and directed to swear such parochial Surveyors into Office after being so approved of; and in case any Person so returned and approved of as aforesaid shall refuse to take upon him the Office of parochial Surveyor as aforesaid, that such Person or Persons so refusing shall for every Offence forfeit the Sum of one Pound, and thereupon the Coroner shall return as aforesaid another Person or Persons to execute the said Office, who are severally and respectively to be approved of and sworn in Manner

before prescribed; and that each and every parochial Surveyor shall, within one Month next after his being sworn into Office as aforesaid, duly survey and examine the State and Condition of the several Highways and Bridges within his and their respective District or Districts; and in case any of the said Highways or Bridges shall be found to be out of Repair, that such parochial Surveyor shall report the same to a Surveyor General; and when and as often as any of the said Highways shall be ordered to be made, altered, or repaired, the said parochial Surveyors shall summon the several Land Owners and others compellable to perform their Parish Labour in Manner hereinafter directed; and that the said parochial Surveyors shall take due Care of and be accountable for all Utensils, Tools, and other Implements provided for the Use of the said Highways.

Parochial Surveyor to report condition of Roads.

4. And be it further ordained and enacted by the Permission and Authority aforesaid, That the Proprietor or Occupier of each and every Quarterland or Baron Land, by Estimation computed to be equal to a Quarterland, shall, upon two Days previous Notice given by Summons to such Proprietor or Occupier, send four Men, and so in Proportion, to be employed in the making, altering, or repairing of the said Highways; and that all other Proprietors or Occupiers of Dwelling-houses that are or may be situate on Quarterlands or Baron Lands, so that the Premises do not pay more than one fourth Part of the Chief Rent of such Quarter or Baron Land, shall send one Man; and that all Proprietors or Occupiers of Dwelling-houses on Cottages or Intacks, not exceeding two Shillings original Chief Rent, shall send one Man; and that all and every Proprietor of each and every Cottage or Intack, from two Shillings to seven Shillings and Sixpence original Chief Rent, whether such Cottage or Intack be dwelt upon or not, shall send one Man; and that all and every Proprietor or Occupier of Intacks, from seven Shillings and Sixpence to fifteen Shillings of such original Chief Rent, shall send two Men; and that the Proprietors or Occupiers of each and every Intack, from fifteen Shillings to one Pound two Shillings and Sixpence of such original Chief Rent, shall send three Men; and that all and every Proprietor or Occupier of Intacks, from one Pound two Shillings and Sixpence to one Pound ten Shillings, (which original Rent of one Pound ten Shillings is to be deemed equal to a Quarterland), shall send four Men; and so on for Intacks of greater Rents in the same Proportion.

Proportion of Labour to be supplied by Proprietors of Lands and Houses.

5. And whenever it shall at any Time be found necessary to employ Carts or Wheel Carrs for the Use of the said Highways, that all and every Person and Persons having in their Possession or Occupation one or more Carts or Wheel Carrs fit for the carrying of Stones, Gravel, or other necessary Materials, being so summoned as aforesaid for that Purpose, shall send one such Cart or Wheel Carr, with an able and sufficient Horse or Horses and Driver, to and for the Use of the said Highways; and that one Day's Labour of such Cart, with two such able and sufficient Horses and Driver, shall be deemed and taken for one Turn, or four Men; and one Day's Labour of a Cart or Wheel Carr, with one Horse and Driver, shall be deemed and taken for two Men; and that the several parochial Surveyors shall give such Notice as aforesaid by Summons within their respective Parishes to the Inhabitants or Proprietors in a regular Course, without Favour or Partiality, to attend, make, and perform such Labour in Manner hereinbefore directed; and that such Labour done by the several Inhabitants or Proprietors throughout and within each Parish in Rotation, shall be deemed a Turn of such Statute or parochial Labour; which Labour is hereby ordered to be made and performed in Rotation and Course as aforesaid as often as Occasion may require, so that such Labour doth not exceed three Turns in one Year.

Proprietors of Carts to furnish them.

Notice from Overseer.

6. And in case any Person or Persons so summoned as aforesaid, shall neglect or refuse to perform such Statute Labour, that the parochial Surveyor or Surveyors shall thereupon forthwith make Presentment of such Default, and cause the Party to be summoned before the Governor, Lieutenant Governor, or a Deemster, and the Party so offending shall, upon Conviction, be obliged to pay for and on Account of each and every Labourer so neglecting to attend for each and every Default the Sum of one Shilling; and for each and every Default in not sending such Cart or Carts, Carr or Carrs, with Horses and Drivers as aforesaid, the Sum of two Shillings and Sixpence, to be levied by Distress or Execution, with Costs.

Fine for non-attendance.

7. And be it further enacted by the Permission and Authority aforesaid, That it shall and may be lawful to and for the said Surveyor General or parochial Surveyors, and such Person or Persons as he or they shall appoint, to dig, gather, take; and carry away, in and through the Lands of any Person or Persons whatsoever, any Stones, Gravel, Sand, or other Materials, in, from, and out of any Lands adjacent, or near unto the said Highways where it may be

Surveyor may dig for and carry away Stones and Gravel, except in Gardens, &c.

most proper and convenient for the Use of the said Highways, save and except Gardens, Orchards, and Yards severally adjoining, or near unto any Dwelling-house, so as the least Damage to the Proprietors of such Lands be thereby occasioned, and also to make Ditches and Drains in and through the Lands next adjoining to the said Highways, for the carrying off the Waters lying thereon ; and the said Ditches and Drains are, when made, to be kept properly cleansed and open by the Proprietors of the Lands through which the same are to be made as aforesaid.

Drains to be kept clean.

Public-house Licences.

8. And whereas the Statute Labour having been hitherto found insufficient for the making, repairing, and amending the said Highways, it is hereby further ordained and enacted by the Permission and Authority aforesaid, That the additional Sum of Nine Shillings and Ninepence imposed upon the Publick-house Licences in and by the said Act of one thousand seven hundred and fifty-three shall continue to be yearly paid into the Hands of the Clerk of the Rolls for the Time being, for each and every Licence which the Governor or Lieutenant Governor shall think proper and expedient to grant ; the Whole of which said several Sums so continued to be payable, and to arise from such Licences as aforesaid, shall be so paid to the Clerk of the Rolls as a Fund to be applied in the making, repairing, and amending of said Highways in such Manner as shall be ordered and directed by the Governor or Lieutenant Governor, with the Council and Keys, or a Committee to be by them appointed as aforesaid.

Dogs.

To be taxed.

9. And whereas by an Act of Tynwald made in the Year one thousand seven hundred and sixty-three, which is now expired, the annual Payment of certain Sums of Money were imposed upon the Owners or Keepers of Dogs, and the Fund arising therefrom was applied towards the making and repairing of the said Highways, and which, together with the Fund arising from Publick house Licences hereinbefore mentioned, was found barely sufficient to answer the Purpose for which the same were levied ; be it therefore ordained and enacted by the Permission and Authority aforesaid, That all and every Person and Persons having, keeping, or making Use of any Greyhound or half-bred Greyhound, Pointer, or Spaniel, for coursing, pointing, setting, or shooting, or any Dog fit for or that shall be made use of for any of the like Purposes, shall yearly and every Year pay the Sum of six Shillings for each and every such Dog ; and that all and every Person or Persons having, keeping, or making Use of as aforesaid any Hound, Beagle, or other Dog whatsoever fit and proper for hunting, or which shall be made use of for that Purpose, shall pay yearly and every Year the Sum of three Shillings for each and every such Dog ; and also, that each and every Person and Persons having or keeping any other Dog or Dogs whatsoever, and not used for Diversions, or fit for the killing of Game as aforesaid, shall yearly pay the Sum of Sixpence for each and every such Dog ; which said several Sums are to be collected and received by the parochial Surveyor or Surveyors of the Highways in each Parish between the first Day of September and the first Day of March in each and every Year, and that the said several parochial Surveyors shall make out a regular, true, and particular Account in Writing of such Dogs, and by whom kept severally and respectively ; which Accounts shall be annually given into and received by the Clerk of the Rolls for the Time being on the first or second Day of May, with such Sums as shall be so levied and collected by the said parochial Surveyors, who are thereupon to be paid for their Trouble in the collecting and paying in the same the Sum of one Shilling in the Pound out of such Money ; the Remainder whereof shall be added to the Fund arising out of Publick-house Licences hereinbefore mentioned, and shall be applied to and for the making, altering, and repairing of the said Highways under the Directions hereinbefore provided relative to the said Fund.

Tax to be collected by Surveyors.

To be applied towards repairing Highways, &c.

Recovered before Deemster.

10. And in case any Doubt or Dispute shall arise concerning the levying and collecting of the said several Sums so ordered to be paid on Account of such Dogs as aforesaid, the same shall and are hereby ordered to be heard and finally determined by and before a Deemster ;

Nuisances to be presented.

11. And that the Keys, or any of them, and the Surveyors General and parochial Surveyors severally and respectively, shall have full Power and Authority, upon view, to make Presentment of all Obstructions and Nuisances, or any other Damages wilfully done to the said Highways or to the Mile Stones that are or shall be erected thereon ; and the Person or Persons therein offending shall, upon Conviction before the Governor, or Lieutenant Governor, or a Deemster, be fined in any Sum not exceeding the Sum of three Pounds, according to the Circumstances of the Offence, to be levied by Distress or Execution ; and in case any Person or Persons shall wilfully and obstinately withstand, obstruct, or hinder the said Committee, Surveyor or Surveyors General, parochial Surveyors, or any of them, or any Person or Persons by them employed for the Purposes of this Act, he, she, or they so offending shall, upon Conviction thereof before the Governor or Lieutenant Governor, or a Deemster, be fined in the Sum of three Pounds, and coun-

Fine of £3 for obstructing Execution of Act.

mitted until the same be paid ; and that the several and respective Fines hereinbefore mentioned shall be paid and applied in the making, repairing, and amending of the said Highways ; which said Highways, to be made by virtue and in pursuance of this Act, shall be eight Yards from Ditch to Ditch.

High Roads
to be eight
Yards wide.

12. And it is hereby further ordained and enacted by the Permission and Authority aforesaid, That the Highway from Castletown to Douglas shall be continued through Newtown as in and by the Act made in the Year one thousand seven hundred and fifty-three is mentioned and directed ; and that all and every Surveyor and Surveyors doing and performing their Duty and Office as hereinbefore directed shall, during such their Office, be exempt from all other parochial Services, and shall for their Trouble have and receive at the Discretion of a Surveyor General a Sum not exceeding one Shilling and Twopence each Day in the Discharge of his Duty, without the special Approbation, Direction, and Appointment of the said Committee, who are hereby authorized and empowered to make such reasonable Compensation to the Surveyor or Surveyors General for his or their Trouble and Expence in the Discharge of his or their Duty under and in pursuance of this Act ; and that it shall and may be lawful to and for the Surveyor or Surveyors General, whenever and so often as he or they shall think proper to discharge any parochial Surveyor for Neglect of Duty or Failure in the Execution of such his Office, and another Person in his Place and Stead to nominate and appoint, so that such Person be approved of and sworn into Office as hereinbefore mentioned.

Castletown
and Douglas
Road.

Surveyors.

13. And be it further enacted by the Permission and Authority aforesaid, That all Pavements in the several Streets in the Market Towns of the said Isle shall be even and regularly paved to the Middle of the Street by the several and respective Inhabitants or Proprietors adjoining the same, within one Month from and after the Publication of this Act ; and that the said Streets and Pavements thereof shall, by Order of the Captain once a Week, be swept clean by the said Inhabitants or Proprietors of each Town, and remain clear of and from all Dung, Filth, Lumber, Rubbish, or other Nuisance whatsoever ; and in case any of the Inhabitants or Proprietors aforesaid shall make Default or Neglect herein, the Captain of such Town shall make Presentment thereof, and such Inhabitant shall, upon Conviction before the Governor, Lieutenant Governor, or Deemster, be amerced in the Fine of ten Shillings, with Costs ; and in case any Captain or Captains of Towns shall neglect to make such Presentment, he or they shall, upon Conviction as aforesaid, be fined in the Sum of ten Shillings for every such Neglect, one Half thereof to be paid to the Informer, and the other to be applied as hereinafter directed.¹

Pavements in
Market
Towns to be
made by
Proprietors
of Property
adjoining.
Streets to be
kept clean by
Inhabitants.

14. And if any Person or Persons shall permit or suffer his, her, or their Pig or Pigs to go at large through the said Streets, and be convicted thereof as aforesaid by the Testimony of one Witness, the Owner or Owners shall be amerced in the Sum of one Shilling and Twopence for each and every such Pig or Pigs so found to go at large through the said Streets as aforesaid, with Costs : Which said several Fines and Amercements last mentioned shall be paid, exclusive of all Costs, and levied as hereinbefore directed, and applied towards the Improvement of the Market Place of such Town wherein the same shall be so levied as aforesaid.

Pigs not to be
at large,
in Towns.
Fine 1s. 2d.

15. And be it further ordained and enacted by the Permission and Authority aforesaid, That upon the Publication of this Act, or within three Months next afterwards, and so from Time to Time as often as Occasion shall require, Commissioners shall be nominated and appointed by the Governor or Lieutenant Governor, with the Council and Keys, at a Tynwald Court assembled, consisting of five skilful and proper Persons, with full Power to act according to the Directions, and for the Purposes hereinafter mentioned ; and in case any Person or Persons shall have any Fenny, Marshy, or other Grounds overflowed with Water, and shall make Application to the Governor or Lieutenant Governor, the said Governor or Lieutenant Governor, upon hearing of the Parties, and good Cause shewn, shall order the said Commissioners, at the Expence of the Party so applying, to view the said Fens, Marshes, or stagnated Waters ; and the said Commissioners, or a Majority of them shall, by their Order in Writing, direct and mark out from a proper Level a sufficient and effectual Channel, Cut, Drain, or Outlet, according to the Nature and Situation of the Ground, for the effectually draining of such Fens, Marshes, and carrying off such stagnated Waters ; and when and after the said Commissioners have made their Order in the Premises, that the Party so applying shall duly serve the Person or Persons through whose Grounds the said Channel, Cut, Drain, or Outlet is so directed to be made, or who shall in anywise be affected thereby, with a true Copy of the said Order ;

Five Com-
missioners to
be appointed
by Tynwald
Court, may
view and
direct Drains
to be made.

¹ Civil Duties of Captain transferred to High Bailiff by High Bailiffs Act, 1777, Chap. 9.

Complaint
against Order
to Governor
if Party
aggrieved.

16. And in case any such Person or Persons shall find themselves aggrieved by the said Order, such Person or Persons shall be at Liberty to bring his, her, or their Complaint of the said Order in Writing to the Governor or Lieutenant Governor within eight Days after Notice of such Order given as aforesaid, and the Governor or Lieutenant Governor shall thereupon judicially and finally hear and determine the Merits of the said Order and Complaint; and in case no such Complaint shall be preferred within eight Days from and after the Notice of the said Order of the said Commissioners as aforesaid, the Governor or Lieutenant Governor, upon Certificate of such Notice being given, shall and lawfully may direct and adjudge the same to be carried into Execution; and all and every the Proprietors of the Lands through which such Channel, Cut, Drain, or Outlet is so directed to be made, shall, at his, her, or their proper Costs and Charges, make and compleat the same in such Manner as shall be directed in and by the said Order of the said Commissioners.

Party refus-
ing to exe-
cute Order,
to pay Ex-
penses of
executing by
others.

17. And in case any Person or Persons shall neglect or refuse to comply with the Commissioners Order directed to be carried into Execution as aforesaid, the said Commissioners shall, and lawfully may, by Writing under their Hands, nominate and appoint a proper Overseer effectually to carry on and compleat the said Channel, Cut, Drain, or Outlet through the Lands of such Person or Persons as shall refuse or neglect to obey the said Order; and such Overseer or Overseers appointed as aforesaid shall, upon producing his or their Accounts of the Expences of the said Work, upon Oath before the Governor or Lieutenant Governor, have Judgment and Execution granted against the Person or Persons so neglecting or refusing, for the full Amount thereof, together with an Allowance of one Shilling and Sixpence each Day for overseeing the said Work;

Obstructing
Overseers,
&c.

18. And in case any Person or Persons whatsoever shall wilfully obstruct the said Commissioners, Overseers, or other Persons employed by them in the Discharge of their Duty under this Act, it shall and may be lawful for the Governor or the Lieutenant Governor, upon Certificate thereof to him made by the Commissioners or Overseers, to order the Offender or Offenders to be committed to Prison, there to remain until he, she, or they give in good and sufficient Security to offer no further Obstruction or Disturbance in the Premises; and in the mean time the said Work shall proceed as if no such Obstruction had been made.

Boundaries.

If insufficient
to be re-
paired.

19. And be it further ordained and enacted by the Permission and Authority aforesaid, That wherever there shall happen to be an insufficient Mere, Fence, or Boundary, any Person or Persons interested in such Boundary, and being desirous to have a sufficient Stone Wall erected in lieu thereof, shall apply to his, her, or their Neighbour or Neighbours to join with them in the making and compleating of such new Stone Wall; and in case such Neighbour or Neighbours shall thereupon not agree to contribute an equal Expence, or otherwise amicably compound or agree for the erecting of the same, it shall and may be lawful for such Person or Persons so desirous of making such Stone Wall Boundary, to apply to a Deemster for his Authority to impanel and swear a Jury of four of the most judicious Men within the Sheading to view the said insufficient Boundary or Fence complained of, who shall view, estimate, and report according to the best of their Judgment, not only what Sum or Sums of Money will be sufficient to put such old insufficient Boundary into statuteable Repair, but shall also estimate and report what Charges and Expences may be necessary to support the said old Boundary in statuteable Repair as above mentioned during the Term of ten Years then next following;

Expenses to
be born by
both Parties.

20. And thereupon it shall and may be lawful for such Deemster on such Report to grant Judgment and Execution against such disagreeing Party or Partys for one Moiety of such Sum and Sums of Money, Charges, and Expences as shall be so reported by the said Jury; the Amount of which Moiety shall be paid and payable in the Whole, or in such Parts and Portions, and at such Times as to the Deemster shall appear just and reasonable according to the Circumstances of the Case;

Crooked
Boundaries
to be made
straight
under direc-
tion of Com-
missioners.

21. And that the Party so applying, upon receiving the same, or such Part or Portion thereof as shall be adjudged him as aforesaid, shall, with all convenient Speed, erect a sufficient Stone Wall at the least two Feet four Inches Broad in the Foundation, five Feet in perpendicular Height, and sixteen Inches Broad at such Height, together with proper Coping or projecting Stones to compleat the said Wall; and in case the said old Boundary or Boundaries be crooked, and that the Parties shall not agree on a direct Line in order to make the said Boundary more complete and less expensive, then either of the said Parties may apply to a Deemster, who shall order the Commissioners hereinbefore appointed by this Act, at the Expence of the Parties, to view and survey the said Boundary and Premises, and upon duly considering the Quantity and Quality of the Ground, shall settle the Differences between the Parties, and ascertain the new Mere or Boundary; and in like Manner the said Commissioners are hereby authorized and directed to view, shorten, ascertain, and affix all other Boundaries whatsoever which shall be referred to and come before them in Manner aforesaid.

22. And it is hereby ordained and enacted, That the said several and respective new Stone Wall and other Boundaries so ascertained and affixed by the said Commissioners, and all such other Stone Wall and other Boundaries as have been or shall be made and erected by Consent of Parties, shall be deemed and adjudged, repaired and amended as the true and lawful Mere and Boundary for ever afterwards.

23. And be it further ordained and enacted by the Permission and Authority aforesaid, That from and after the Promulgation of this Act, if any Cattle, Horses, Asses, Mules, Swine, Sheep, Goats, or Geese, shall be found trespassing on inclosed Grounds where the Fences are kept in sufficient Repair, and impounded for the same between the twenty-fifth Day of March and the tenth Day of October in each Year, before any such Cattle, Horses, Asses, Mules, Swine, Sheep, Goats, or Geese, shall be released, the Owner or Owners thereof shall pay unto the Keeper of the Pinfold after the Rates following, viz. Two Shillings and Twopence for each and every Head of such Cattle, Horses, Asses, Mules, and Swine, and for every Head of Sheep and Goats Eightpence, and Fourpence for each and every Goose; and for every Head of Cattle, Horses, Asses, Mules, Swine, Sheep, Goats, and Geese that shall be found trespassing and impounded for the same between the tenth Day of October and the twenty-fifth Day of March in each Year, after the following Rates, viz. For every Head of Cattle, Horses, Asses, Mules, and Swine, one Shilling and Twopence, for every Head of Sheep and Goats Sixpence, and for every Goose Threepence, and after the Rates last mentioned when such Cattle, Horses, Asses, Mules, Swine, Sheep, Goats, or Geese shall be impounded from off the Highway adjoining Quarterlands or Baron Lands or inclosed Intacks in any Part of the Year; which said several Sums being so paid to the Keeper of the Pinfold, he is hereby required, after deducting the accustomed Pinfold Fines and Fees, to pay the Remainder thereof to the Person or Persons bringing the said Cattle, Horses, Asses, Mules, Swine, Sheep, Goats, and Geese to be impounded as aforesaid. And in case any Person or Persons shall obstruct or prevent any Cattle, Horses, Asses, Mules, Swine, Sheep, Goats, or Geese found trespassing as aforesaid from being impounded, such Person or Persons shall, upon Conviction thereof before a Deemster, be adjudged to pay the full Trespass Monies, Fines, and Dues as aforesaid, together with the Sum of ten Shillings, to be expended on the Parish Pinfold, with such Costs to the Party as shall be awarded.

Stone Wall
to be
Boundary.

Trespass
Cattle to be
impounded.

Obstructing,
punished by
Fine.

Tho. Moore, Deemster.

Richard Dawson.
Wadsworth Busk.
John Quayle.



The Keys.

George Moore,
William Murray,
Philip Moore,
John Frissell,
Hugh Cosnahan,
William Quayle,
Tho. Christian,
William Callow,

James Oates,
William Cubbon,
Tho. Fargher,
Philip Moore,
William Qualtrough,
William Callow,
John Cæsar,
Richard Tyldesley.

St. James's, June 7th, 1776.

SIR,

I have received your Letter dated the 22d of May, as also the Act of Tynwald for the better making, repairing, and amending of the Highways; the draining of the Fens and Marshy Grounds; the making of Stone Walls and other Boundaries; and for the more effectually preventing of Trespasses; which I have laid before the King. I return the said Act herewith inclosed, and am to signify to you His Majesty's Approbation thereof.

I am, with great Truth and Regard,

SIR,

Your most obedient humble Servant,

SUFFOLK.

Major Dawson, Lieut.-Governor
of the Isle of Man.

At a Tynwald Court holden at St. John's Chappel the 5th Day of July, in the sixteenth Year of the Reign of our Sovereign Lord George the Third, by the Grace of God of Great Britain, France, and Ireland, King, Defender of the Faith, &c. and in the Year of our Lord one thousand seven hundred and seventy-six.

The beforegoing Act having received His Majesty's Royal Approbation as hereunto annexed, the same was this Day published, proclaimed, and promulged upon the Tynwald Hill according to the ancient Form and Custom within this Isle; as witness our Subscriptions,

Ja. Wilkes.
Joh. Moore.

Tho. Moore.

Richard Dawson.
John Quayle.

The Keys.

William Murray,
John Frissell,
Philip Moore,
William Cubbon,
Tho. Fargher,
William Callow,
Hugh Cosnahan,

William Quayle,
Philip Moore,
John Caesar,
Matthew Christian,
William Callow,
James Oates,
Tho. Christian.

~~~~~  
ISLE OF MAN, to wit.

*At a Tynwald Court holden at Castle Bushen the 22d Day of July, in the seventeenth Year of the Reign of our Sovereign Lord George the Third, by the Grace of God of Great Britain, France, and Ireland, King, Defender of the Faith, &c., and in the Year of our Lord one thousand seven hundred and seventy-seven, before his Excellency Edward Smith, Esquire, Governor in Chief and Captain General, the Council and Keys of the said Isle.*

CHAPTER I.

An Act for the Confirmation of the Act of Settlement, and for the repealing of certain obsolete Laws and Ordinances; for the altering and amending of others; for the explaining and establishing the Jurisdiction of the Courts of Law and Equity and other Purposes.

Whereas many of the Laws and Customs of this Isle have been found not only to be defective, but in many Instances impolitick and very inadequate to the Purposes of good Order and Government, it being now thought expedient to repeal all obsolete and useless Laws, which however properly adapted to more early Ages are now

become insufferable and oppressive, and to institute a new Arrangement and Connection of the most wholesome Laws, retaining every Part possible of the ancient Constitution, and being made to bear the nearest Resemblance to the system of English Jurisprudence, which is conceived may greatly conduce to the Honour, Welfare, and Happiness of this Isle: We your Majesty's most dutiful and loyal Subjects the Governor, Council, and Keys of the Isle of Man, being deeply interested in promoting the salutary Purposes aforesaid, do most humbly beseech your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Governor, Council, and Keys of the said Isle, in Tynwald assembled, and by the Authority of the same, That the Statute relative to the Payment of Herrings, and the Carriage of Turf to the several Garrisons, provided in an Act inserted in the Beginning of the Statute Book, the Date whereof being defaced by Time doth not appear, and confirmed by the Orders of certain Commissioners dated Anno Domini 1561, and that the Statutes made the 10th Day of October 1609 and the 21st of September 1667, for the Regulation of Wages and Labour of Artificers and Servants, be, and the same are hereby severally repealed; and that the said Statute made the 7th Day of November 1747, relative to Servants, being a temporary Act, and since expired, be revived and made perpetual; and the same is hereby revived and made perpetual accordingly.

New Laws  
to resemble  
English.

Payment of  
Herrings and  
Carriage of  
Turf, Order  
of 1561.

Statutes of  
1609, 1667,  
& 1747, rela-  
tive to Ser-  
vants, re-  
pealed.

## CHAPTER II.

### An Act for the giving Strangers the Privilege of Natives in the Recovery of Debts.

Whereas many Inconveniences have arisen and may arise to the Trade, Agricultures, and Manufactures of this Isle, from the Practice of giving the Natives thereof a Preference to all others in the Payment and Recovery of their Debts or Demands against Debtors, whose Property and Effects fall Deficient in the Payment of Creditors, be it enacted by the Authority aforesaid,

1. That for the future no Priority or Preference shall take place in such Cases amongst the Creditors, but that all His Majesty's Liege Subjects, and all others whose Princes are in Amity with the Crown of Great Britain, shall for the future be intitled to the same Rights and Privileges in the Payment of their just Demands, upon the Distribution

Preference of  
Payment to  
Natives re-  
pealed.

of Insolvent Debtors Effects, as the Natives of the said Isle have heretofore had :

Claims for foreign Debts may be excluded.

2. Provided nevertheless that the Governor or Lieutenant Governor shall always, upon granting a Decree or Judgment in Favour of any Person whatsoever against any of His Majesty's Subjects and others in Amity with his Crown residing in this Isle for the Recovery of Debts contracted and due previous to such their Residence within the same, may exclude the Whole of such Debt, or order and allow such Part or Proportion thereof to be paid in a proper Dividend and Share with the other Creditors, for Debts contracted by them within the said Isle, out of such Insolvent Debtors Effects as to him shall appear just and reasonable according to the Circumstances of the Case, any Thing herein contained to the contrary notwithstanding :<sup>1</sup>

Lord's Rent and Servants Wages to have preference.

3. Provided also, that Landlords Rents and Servants Wages shall always be paid in Preference as heretofore accustomed.

Sixpence per Day Allowance to Insolvent Debtors.

4. And be it further enacted by the Authority aforesaid, That any Person or Persons whatsoever who shall be imprisoned for Debt under a Decree or Judgment, and it appearing to the Court that the said confined Party hath faithfully and justly accounted for all his Effects upon Oath, and hath delivered up the same without Fraud or Collusion to satisfy such Decree or Judgment, that in all and every such Case the Governor or Lieutenant Governor may order and allow the said imprisoned Party a daily Sum not exceeding Sixpence<sup>2</sup> each Day, to be advanced and paid by the Plaintiff for Subsistence during the Time the said Party shall afterwards remain imprisoned, and in Default of the like Payments weekly, that the Governor or Lieutenant Governor may lawfully order the said Party in Duress to be enlarged from Imprisonment :

Amount paid for maintenance to be added to Debt.

5. Provided always, that such several Sums paid, or to be paid for Subsistence as aforesaid shall be a lawful Charge against the Defendant and Effects, as well as the Sum or Part of the Decree or Judgment remaining unsatisfied by the Proceedings aforesaid at all Times afterwards, until such several just Sums are paid off and discharged, any Law, Custom, or Usage to the contrary hereof in anywise notwithstanding.

### CHAPTER III.

An Act for the more effectual Confirmation and Establishment of the Act of Settlement, and the Act of Tynwald explanatory thereof.

Tenures altered in Year 1643.

The ancient feudatory Tenures of this Isle between the Lord and his Tenants having, in the Year 1643, by undue Means, been changed into Leasehold Estates, the regular

<sup>1</sup> Repealed by Act of 1814.

<sup>2</sup> Increased to 7d., and section otherwise amended by Act of 1820.

Course of Descent, which before had flowed in an easy uninterrupted Stream, was thereby clogged with Difficulties not to be born, the Tenants grew dissatisfied, and much Litigation ensued, which tended to dissolve all Harmony and Subordination between them and their Chief, so essential to their mutual Interest and Happiness; for remedy whereof, the Act of Tynwald, commonly called the Act of Settlement, intituled, "An Act for the perfect settling and confirming of the Estates, Tenures, Fines, Rents, Suits, and Services of the Tenants of the Right Honourable James Earle of Derby within his Isle of Mann, passed at a Tynwald Court holden at Saint John's Chapel within the said Isle the 4th Day of February, in the Year of our Lord 1703," and the Act of Tynwald explanatory thereof, bearing equal Date therewith; which said several Acts are in the Words, or to the Purport and Effect following; that is to say,

Act of  
Settlement  
of 1704.

An Act for the perfect Settling and Confirmation of the Estates, Tenures, Fines, Rents, Suits, and Services of the Tenants of the Rt. Honrble. James Earle of Derby, within his Isle of Mann, passed at a Tynwald Court holden at Saint John's Chappell within the said Isle the fourth Day of February, in the Year of our Lord one thousand seven hundred and three, by the said James Earle of Derby, Lord of the said Isle, Robert Mawdesley, Esquire, Governor, and the rest of his said Lordship's Officers, and 24 Keys, the Representatives of the said Isle.

Whereas severall Disputes, Questions, and Differences **Recital.** have heretofore arisen and been contested between the Lords of the said Isle and their Tennants, touching their Estates, Tenures, Fines, Rents, Suites, and Services, to the great Prejudice of the Lords, and Impoverishment of the Tennants and People there, who by that Means have been discouraged from making such Improvements as their Estates were and are capable of; for the absolute and perpetual ascertaining whereof, and the avoiding all Ambiguitys, Doubts, and Questions that may or might at any Time hereafter arise or grow touching or



Proposition  
to James  
Earl of  
Derby by  
Commis-  
sioners.

concerning the same, Proposals were made unto the said James Earl of Derby, now Lord of the said Isle, at Lathome, the 8th Day of September last past, by Ewan Christian, of Unerigg, in the County of Cumberland, Esquire, John Stevenson of Balladoole, and Ewan Christian of Lewaige within the said Isle, Gentlemen, who by an Instrument under the Hands of the 24 Keyes now remaining upon Record, were impowered to treat concerning the same, as well for and on the Behalf of themselves as all and every the Tennants within the said Isle, in Manner following :

Fines to be  
paid on Con-  
firmation of  
Tenures.

1. First, That in case his Lordship would be pleased to declare and confirm unto his Tennants their antient customary Estates of Inheritance in their respective Tenements, descendable from Ancestor to Heir according to the Laws and Customes of the said Isle, that then the said Tennants should in consideration thereof advance and pay unto his said Lordship the same Fines which they severally and respectively paid for their several and respective Tenements at the Generall Fining, which was in or about the Year of our Lord one thousand six hundred fourty and three; except where any Tennant or Tennants have or hath one or more Life or Lives in being, and that then and in such Case he or they should severally and respectively pay Two-thirds only of the said generall Fine for their respective Tenements.

Fines to be  
paid on  
Alienation.

2. Secondly, That upon the change of any Tennant by Death or Alienation, the next and succeeding Heir or Alienee should pay unto the Lord of the said Isle for the Time being, the third Part of the said intire Sum which was paid for a Fine at the said Generall Fining in Manner following; that is to say, in case of the change of a Tennant by Death, then the said Fine should be paid within twelve Months after the Death of such Tennant; and in case of the change or removal of a Tennant by Alienation, then the same should be paid immediately after such Alienation made, proportionably to the Lands and Tenements which should descend or be aliened, and this to continue for ever hereafter as a fixed and certain Fine upon every Descent and Alienation; provided nevertheless, that all Intacks, Cottages, and Milnes, which by the Laws and Customes of the said Isle were and are reputed Chattels, might be chargeable with Debts, and devisable by Gift, Grant, Will, or Assignment, as formerly accustomed, paying such Fines respectively as were paid at the General Fining afforesaid, to wit, the whole Fine where there were no Lives in being,

Intacks, Cot-  
tages, and  
Milns, charg-  
able with  
Debts, and  
devisable by  
Will, &c.

and two Parts thereof only where there were, and still are one or two Lives in being, and a third Part of the said Generall Fine for ever hereafter upon every Descent or alienation as afforesaid.

3. Thirdly, That the Tennants of the Abbey Lands, as well as the Lord's Tennants, should be included in the said Proposals, they and every one of them paying the same Fines that were agreed for upon their late Compositions or Leases made in or about the Year of our Lord one thousand six hundred sixty and six, (except such as have one or more Life or Lives yet in being to pay two Parts only of the said Fine now, and a third Part thereof always afterwards, upon the Admittance of any new Tennant, either upon Death or Alienation, as afforesaid :) and also yielding, paying, performing, and doing the annuall Rents, Customes, Suites, and Servises as formerly and anciently accustomed : And that the Tythes arising out of the Abbey Demeasnes, and reserved by James late Earle of Derby upon the Compositions by him made in the Year one thousand six hundred fourty and three, and afterwards by Charles late Earle of Derby, granted to Bishop Barrow (since deceased) and his Successors for the Use of the Clergy of the said Isle, should be reserved and for ever hereafter payable to them.

Abbey Tennants included in Proposals.

Reserving ancient Duties, &c.

4. Fourthly, That the double Rents of the Quarterlands as they were then payable, together with all other Rents, Suites, and Servises, payable out of those, or any other Estates within the said Isle, should be reserved and payable for ever hereafter as formerly to the said James Earle of Derby, his Heirs and Assignes, or to such other Person or Persons as for the Time being should be Lord of the said Isle; and that the antient Boons and Carriages payable by the respective Tennants should be considered at a Tynwald Court.<sup>1</sup>

Double Rents of Quarter Lands reserved.

5. Fifthly, That if any Tennant should then after pass away any Part of his Estate, either to any of his Children, or other Person whatsoever, by Gift, Grant, Assignment, or any other Deed or Contract whatsoever, whereby to divest himself of the Premises, that the same should be esteemed and accounted as an Alienation within the Intendment of the said Proposals;

What shall be counted an Alienation.

Or if any Tennant who then had mortgaged, or should thenceafter mortgage, all or any Part of his Messuages, Lands, Tenements, Milns, Cottages, Intacks, or other Hereditaments, unto any Person, and should not actually

Mortgages to be entered as Tennant after five Years & Alienation Fine paid.

<sup>1</sup> See Supplemental Act of Settlement, 1704.

redeem the same to his own proper Use within the Space of five Years next after the Commencement of the said Mortgage, that then such Mortgage should be likewise looked upon and reputed as an Alienation, and the Mortgagee should be admitted Tenant, and his Name entered into the Court Rolls, and should pay the third Part of the general Fine charged and chargeable upon the said Messuages, Lands, Tenements, Milns, Cottages, Intacks and Hereditaments, so mortgaged or to be mortgaged as aforesaid :

Equity of Redemption, twenty-one Years.

Mortgages to be entered in six Months after Execution.

New Intacks subject to Fine to the Lord.

Fines in respect of Intacks and Milns.

Intacks and Cottages taken from Highways, not included in Proposals.

Provided nevertheless, that the Mortgagor shall have the Power or Liberty of Redemption still remaining in him, and is to be restored to the Possession of the Premises by Law or Order of the Court of Chancery as the Matter will appear in Equity, so that the same be done within the Space of one-and-twenty Years from the Date of the said Mortgage, and not otherwise :<sup>1</sup>

And that all Bills of Mortgage already made, or hereafter to be made, shall be entered into the Records within six Months after the passing of the said Proposals into a Law, or within six Months next after such Bills of Mortgage were executed, otherwise such Bills to be of no Effect in the Law.<sup>2</sup>

6. Sixthly, That all new Intacks or Inclosures taken out of the Commons, and all Milns erected since the Year one thousand six hundred fourty and three, that had not paid any Fines, should have a reasonable Fine set upon them by the Governor, three of the Lord's Officers, and three of the twenty-four Keyes, to be appointed for that Purpose; and that the Fines so set by them should be paid within six Months next after the setting thereof; and that the third Part of the said Fine so to be set as aforesaid should for ever hereafter be paid upon the Change of every Tenant by Death, Alienation, or Mortgage as aforesaid.

7. Seventhly, That all Intacks or Milns which should then after be enclosed or erected should pay such Fine and Fines as should be agreed on by the Governor and Lord's Officers, and that to be likewise a fixed and certain Fine to be for ever hereafter paid by the Tenants of the same upon every Descent or Alienation in Manner as aforesaid.

8. Eighthly, And that all such Intacks and Cottages as had been taken out of the Highways adjoining to the Quarterlands, or other Estates, but not belonging to the same, should not, nor were not, intended to be included in the said Proposals; but that such Intacks and Cottages (being complained of as great Nuisances) should be referred to the consideration of a Tynwald Court to determine where the Rents and Fines of and for such Intacks and Cottages might most conveniently be fixed.<sup>3</sup>

<sup>1</sup> Repealed by Mortgages Act of 1835.

<sup>2</sup> Repealed by Registration Act, 1847.

<sup>3</sup> See Supplemental Act of Settlement of 1704.

9. Ninthly, That whereas the Fine lately paid out of the Estate called Loughmollo and dry Closes was not comprized in the Generall Fining in the said Year one thousand six hundred fourty and three, the same being since that Time leased by the Right Honourable Charles late Earl of Derby; it was therefore (upon special consideration had) proposed, that the said Estate should only pay one hundred and twenty Pounds for the present Fine; but if any of the Lives nominated in the last Lease made thereof by the said late Earl Charles should be found to be still in being, then only two third Parts of the said one hundred and twenty Pounds should be paid as a present Fine, and a third Part of the said one hundred and twenty Pounds should for ever hereafter be paid as a fixed and certain Fine upon the Change of any Tennant by Death, Alienation, or Mortgage as afforesaid.

Special Proposal for Estate of Loughmollo and Dry Closes.

10. Tenthly, That the present Fines should be accepted and received according to the Currency of Money then within the said Isle, and that one third Part thereof should be paid within six Months next after the passing of this Act, another third Part should be paid at the end of twelve Months now next ensuing, and the last Payment to be made within six Months then next following; so that the whole should be paid within eighteen Months next after the passing of this Act.

Fines to be paid in currency of Isle.

11. Eleventhly, That the antient Rents (except only of such Lands as were then in the Lord's Hands) should for the future be preserved by the Setting Quest and that the Tennants Names should be entered in the Court Rolls as formerly; and that when any Tennant should come to any Estate by Death, Alienation, or Mortgage, such Tennant should be obliged to give Notice thereof to the Setting Quest of the Parish where such Estate lay some Time before the next Sheading Court that should be holden after he became Tennant to the said Estate, to the Intent that the said Enquest might present the said Tennant's Name to the Court, (which they should upon Oath be obliged to do at every Sheading Court as oft as any such should happen,) to the End that such Tennant's Name might be entered upon Record either by himself, or some other Person in his Behalf, whereby the Lord's Fines might be had and received at such Time and in such Manner as are hereinbefore for that Purpose limited and appointed, without Fraud or Concealment; and if the said Tennant should refuse or faile to have his Name entered accordingly

Ancient Rents preserved.

NewTennant to give Notice to Setting Quest before next Sheading Court.

Tennant refusing or neglecting to enter his Name, fined £3.

at the said Court, that then such Tennant so refusing or neglecting should be fined in three Pounds to the Lord for the Time being ; and that upon the Change of any Tennant by Death, Alienation, or Mortgage, one single Person, and no more, should be admitted, unless he became Tennant in the Right of his Wife, and not otherwise.

Proposals to  
be passed into  
a Law.

Lord's Roy-  
alties and  
Rights re-  
served.

Commis-  
sioners ap-  
pointed by  
Earl Derby.

Proposals  
agreed to.

Enactment.

12. And lastly, That all the before-mentioned Proposals, and every Matter and Thing therein contained, should forthwith be passed into a Law, and confirmed by the Authority of a Tynwald Court, (saving always to the Lord all such Royaltys and Regalities in and concerning the Premises as were invested by his Lordship by virtue of his Prerogatives within the said Isle ;) and the said James Earl of Derby, out of his great Zeal and Care for the Welfare and Quiet of his People, and to the End that such an Establishment might be treated and agreed upon as might compleat and for ever confirm a constant mutual Love and Friendship between the Lords of the said Isle and their People, did nominate and appoint the affore-named Robert Mawdesley, Thomas Lord Bishop of Sodor and Mann, and Nicholas Starkie, Esquire, Commissioners, to treat and consult with the said Ewan Christian, John Stevenson, and Ewan Christian of Lewaige, concerning the said Proposals, which were consented and agreed unto by all Partys commissioned for that Purpose, as in and by the said Proposals, inrolled and remaining on Record in the Comptroller's Office within the said Isle, more at large it doth and may appear : And the said Right Honourable James Earl of Derby, and all and singular the Tennants and Inhabitants within the said Isle, and Members of the same, are contented and well pleased that the said Proposals, and all Things therein contained, should be ratified and confirmed by an Act of Tynwald Court :

13. May it therefore please your Lordship that it may be enacted, and be it enacted by the said James Earl of Derby, now Lord of the said Isle, (by and with the Advice and Consent of the said Governor, and the rest of his said Lordship's Officers, and by the twenty-four Keyes, in this present Tynwald Court assembled, and by the Authority of the same,) That the said Proposals, and every Clause, Article, Sentence, Matter, and Thing in the same contained, shall stand and be ratified, allowed, approved off, and confirmed by the Authority of this present Tynwald Court ; and that the said Proposals shall stand and be of force to bind and conclude as well as the said James Earl of Derby, his Heirs and Assignes, and all Persons claiming,

or to claime, from by, or under him or them, or to his Use, or in Trust for him, as the said Ewan Christian, John Stevenson, and Ewan Christian of Lewaige, and all and singular other the Tennants and Inhabitants within the said Isle, their and every of their Heirs and Assigns, and all Persons claiming, or to claime, from, by, or under them, or any of them, or to or for their Use, or in Trust for them, or any of them, in all Things, according to the Purport, Effect, and true Meaning of the said Proposals; and that every Clause, Article, Sentence, Matter, and Thing in the said Proposals contained, shall for ever hereafter stand, be, and remain, and be adjudged and taken to be of such and the same Force and Effect to all Intents and Purposes as if the said Proposals, and every Clause, Article, Sentence, Matter, and Thing therein contained, were especially and particularly herein again expressed and repeated, and by the Authority of this present Court enacted.

14. And be it further enacted, ordained, and declared by the Authority aforesaid, That all Estates made or to be made of any Messuages, Lands, Tenements, and Hereditaments within the said Isle, or Members of the same, to any Person or Persons, and his and their Heirs, shall be, and shall be adjudged, esteemed, and taken, from the making or granting of such Estates, to be good and perfect customary Estates of Inheritance, descendable from Ancestor to Heir according to the Laws and Customs of the said Isle, (except such as are reputed Chattels as is before mentioned;) and that all and every such Person and Persons to whom any such customary Lands, Tenements, or Hereditaments are or shall be granted to him and his Heirs according to the Laws and Customs of the said Isle, shall be, and shall be adjudged, esteemed, and taken, and are hereby declared to be seized thereof as of good and perfect customary Estates of Inheritance to them and their Heirs, descendable from Ancestor to Heir according to the Customes of the said Isle.

*Estates to be considered of Inheritance, descendable to Heir, except Chattels.*

15. And that all and every the said Tennants of and within the said Isle, and Members of the same, as well all Tennants in Possession as in Reversion and Remainder, particularly or generally named, mentioned, or intended to be Partys to the said Proposals, and not thereby excluded, their and every of their respective Heirs and Assigns, shall and may from henceforth for ever quietly and peaceably have, hold, and enjoy all their several and respective Messuages, Lands, Tenements, and Hereditaments, with their and every of their Appurtenances, to

*Clause for peaceable enjoyment.*

Performance  
of Services,  
and payment  
of Rents, &c.

them and their Heirs severally and respectively, as customary Tennants of and within the said Isle, against the said James Earl of Derby, his Heires and Assignes, and against all and every other Person or Persons claiming, or to claime, from, by, or under him, them, or any of them, all and singular the Tennants within the said Isle, and Members of the same, their Heirs and Assignes, and all and every other Person and Persons claiming, or to claime, from, by, or under them, or any of them, respectively and severally yielding, paying, performing, and doing unto the said James Earl of Derby, his Heires and Assignes, and all and every other the Lords of the said Isle for the Time being, such yearly Rents, Boons, Suites, and Services, as herein-before are mentioned, and which now are or heretofore have been usually paid and performed; and also paying unto the said James Earl of Derby, his Heirs and Assignes, such generall and other Fines certaine, as in the said Proposals are also for that Purpose particularly mentioned and expressed:

Royalties  
reserved.

**16.** Saving always unto the said James Earl of Derby, his Heirs and Assigns, and unto all and every other Person and Persons that shall at any Time hereafter become Lords of the said Isle, all such Royaltys, Regalia, Prerogatives, Homages, Fealtys, Escheats, Forfeitures, Seizures, Mines and Mineralls of what Kind or Nature soever, Quarrys and Delfs of Flagg, Slate or Stone,<sup>1</sup> Franchises, Libertys, Priviledges, and Jurisdications whatsoever, as now are or at any Time heretofore have been invested in the said James Earl of Derby, or in any of his Ancestors Lords of the said Isle; and saving nevertheless to all and every Person and Persons, Bodys Politick and Corporate, their Heirs and Successors, (other than the said James Earl of Derby, his Heires and Assignes,) all such Actions, Estate, Right, Title, Interest, Use, Trust, Claime, and Demand whatsoever, in Law or Equity, as they or any of them have, may, should, or ought to have, of, in, to, or out of the said Isle, or any Part thereof, (and in such Sort and Manner as if this Act had never been made):

Accustomed  
Rents, Boons,  
Suits and  
Services to  
be paid to  
Lord.

**17.** Provided that such Person or Persons, their Heirs, Executors, and Administrators, do yield, pay, perform, and do unto the said Earl of Derby, his Heires and Assigns, and to all and every other the Lords of the said Isle for the Time being, the several yearly Rents, Boons, Suits, and Services, that have been accustomedly and

<sup>1</sup> See Supplemental Act of Settlement of 1704.

usually paid for the Estates which they, or any of them, shall or may make any Claime or Title, and do also pay unto the said Lord and Lords of the said Isle for the Time being all such Fines certain for the same, and in such Manner and Form as in the said Proposals are particularly mentioned and agreed unto, and not otherwise.

18. And it is further provided, That nothing in the said Saving shall impeach, or be prejudiciall to, or be construed to impeach or be prejudicial to the Settlement of the Nature and Quality of the Estates, Tenures, Fines, Rents, Suits, and Services, which hereby and by the said Proposals are agreed upon and intended to be enacted, granted, and confirmed, any Thing in the said Saving to the contrary notwithstanding. Reservations  
not to preju-  
dice Tenures,  
&c.

19. Note, The words (*Law or*) interlined in the 31st Line in the first Sheet, and the Word (*named*) in the third Line in this Sheet, and the Words (*or be construed or taken to impeach or be prejudicial to*) in the nineteenth Line, were inserted before the Signed hereof.<sup>1</sup>

20. Note further, That it is agreed and consented unto by the Governor, Officers, and twenty-four Keyes aforesaid, at the Signing hereof, that this Act shall be no way construed and taken to free and discharge the Tennants and Inhabitants of this Isle from giving their best Assistance or Supply for the Defence of the Isle in Time of Warr, or imminent Danger, in such Manner as shall be agreed upon by the Governor, Officers, and twenty-four Keyes of the Island for the Time being, as Occasion and Necessity will require. This Act not  
to dispense  
with Tenant's  
Services in  
Time of War.

|                         |                     |
|-------------------------|---------------------|
|                         | Robert Mawdesley,   |
|                         | Tho. Sodor and Man. |
|                         | Chris. Parker,      |
| John Parr, } Deemsters. | J. Rowe,            |
| D. Mylrea, }            | Will. Ross,         |
|                         | John Bridson.       |

|                   |                   |
|-------------------|-------------------|
| Robert Christian, | Tho. Stevenson,   |
| Robert Curghey,   | Ewan Christian,   |
| James Bancks,     | John Wattleworth, |
| Tho. Corlett,     | Sill. Ratcliff,   |
| James Oates,      | Cha. Moor,        |
| Nicho. Thompson,  | Nicho. Christian, |
| Robert Moore,     | Will. Christian,  |
| Dan. Lace,        | Tho. Christian,   |

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<sup>1</sup> This Note refers to the original Manuscript of 1704.



John Harrison,  
John Wattleworth,  
John Curghey.

John Bridson,  
John Oates,  
James Christian,

Acceptance  
by Earl  
Derby.

I do hereby declare my full and free Consent to this Act of Settlement, (saving and except so much thereof as relates to the Tythes arising out of the Abbey De-measnes therein mentioned, to be sold by Charles late Earl of Derby to Bishop Barrow, and the several Rectorys of Kirk Christ Lezaire, Kirk Marown, Kirk Lonnán, Kirk Conchan, Kirk Malew, Kirk Maughold, Kirk Arborey, Kirk Christ Rusheine, Kirk Michael, and Kirk Santan, with their and every of their Appurtenances, and all Tenths and Tythes renewing, growing, within or belonging to the said Rectorys, and all Oblations, Obventions, Pentions, Rights, and Dutys thereunto belonging or appertaining, which were by Indenture bearing Date the first Day of November one thousand six hundred sixty-six, made between the said Charles Earl of Derby of the one Part, and Isaac Lord Bishop of Sodor and Mann, and Jonathan Fletcher, Archdeacon of the said Isle, of the other Part, granted, bargained, and sold to the said Bishop and Archdeacon, their Executors and Assignes, for ten thousand Yeares, at the severall yearly Rents, and upon the Trusts therein mentioned, and such Estate, Right, Title, Interest, Claime, and Demand, as I have, or may or can claime or demand of, into, or out of the same, as if this Act had never been made or passed : And I do hereby confirm this Act (save and except as afforesaid) according to my undoubted Prerogative within the said Isle, and require that the said Act be published at the next Tynwald Court in usual Manner.

DERBY.

*At a Tynwald Court holden at St. John's Chappell the 6th Day of June, Anno Domini 1704.*

The beforegoing Act of Settlement being confirmed by our Honourable Lord in Manner as afforesaid, was this Day publicly proclaimed upon the Tynwald Hill according to antient Forme and Custome; as witness our Hands the Day and Year above written,

Robert Mawdesley,  
Tho. Sodor and Mann,

|                    |              |                   |
|--------------------|--------------|-------------------|
| Jo. Parr,          | } Deemsters. | Chris. Parker,    |
| Dan. Mylrea,       |              | J. Rowe,          |
|                    |              | Will. Ross,       |
|                    |              | Jon Bridson.      |
| John Stevenson,    |              | Dan. Lace,        |
| Ewan Christian,    |              | Tho. Corlet,      |
| William Christian, |              | James Christian,  |
| Cha. Moor,         |              | John Wattleworth, |
| Tho. Stevenson,    |              | John Bridson,     |
| John Wattleworth,  |              | Tho. Christian,   |
| James Oates,       |              | Robert Christian, |
| John Curghey,      |              | John Oates,       |
| John Harrison,     |              | Robert Curghey.   |
| James Bancks,      |              |                   |

~~~~~

INSULA MONÆ.

Acts likewise passed by the Right Honourable James Earl of Derby, Lord of the said Isle, and by his Governor, Officers, and twenty-four Keyes, the Representatives thereof, at the before-mentioned Court of Tynwald holden the 4th Day of February Anno Domini 1703.

Whereas by a Clause in the before-mentioned Act of Preamble. Settlement, the respective Tennants and Inhabittants of the said Isle are obliged to pay (besides their Rents and Fines therein mentioned and expressed) all other Dues, Duties, and Carriages, as have been formerly accustomed; and that the fixing and ascertaining of the said Carriages is by the said Act left to the Consideration of a Tynwald Court; be it therefore ordered, ordained, enacted, and declared by the Authority of the said Court of Tynwald,

1. That the Tennants and Inhabittants of this Isle shall pay and do their Carriages to the Lord as formerly accustomed; that is to say, four Carriages from every Quarter of Land, and one Carriage from every Cottage and Intackholder within the said Isle; and the same to be performed either by the Labour of Horses, or Service of Men, as the Governor shall think fitt to order, and as hath been formerly accustomed; and that these Carriages shall be taken for the Lord's Use, as his Lordship or the Governor for the Time being shall think fit to employ them. And that no Tennant shall be exempt from doing of these Carriages but such as have been already legally accustomed to be freed thereof.

Duties and
Carriages
payable to
Lord.

All securities
on Lands
and Tene-
ments for
Money,
deemed to be
Mortgages,
unless Chan-
cery decide
otherwise.

2. Also whereas by another Clause in the aforesaid Act of Settlement, all Persons who then had mortgaged, or should thenceafter mortgage, all or any Part of his Messuages, Lands, Tenements, Milns, Cottages, Intacks, or other Hereditaments, unto any Person, and should not actually redeem the same to his own proper Use within the Space of five Years next after the Commencement of the said Mortgage, that then such Mortgage should be looked upon as an Alienation, and the Mortgagee admitted as Tennant to the same in such Manner and on such Terms as in and by the said Clause is fully mentioned and expressed: And forasmuch as it is conceived that severall fraudulent Bargains may be made by letting of Lands, Tenements, Milns, Cottages, Intacks, and other Hereditaments, for the Security of Money, under other Notions than that of Mortgage, to defraud our Honourable Lord of his Fine; be it therefore ordered, ordained, and enacted by the Authority aforesaid, That all such Bargaines as shall hereafter be made and given for the Security of any Sum of Money upon Lands, Tenements, Milns, Cottages, Intacks, and other Hereditaments as aforesaid, longer than for the Term of five Years, shall be declared and taken to be a Mortgage within the Intendment of the said Act, unless the Court of Chancery within this Isle shall adjudge it otherwise, and that the Mortgagee shall be lyable to pay such Fine for the same as in and by the said Clause inserted in the said Act is mentioned and declared.

Rent of In-
tacks taken
out of High-
ways, to be
paid by Quar-
terlands ad-
joining.

3. And also whereas by another Clause in the said Act of Settlement, it is mentioned and expressed that all Intacks and Cottages, as had been taken out of the Highways adjoining to the Quarterlands or other Estates, but not belonging to the same, should not nor were not intended to be included in the said Act of Settlement, but that such Intacks and Cottages (being complained of as great Nuisances) should be referred to the Consideration of a Tynwald Court to determine where the Rents and Fines of and for such Intacks and Cottages might most conveniently be fixed; be it therefore hereby ordered, ordained, and enacted by the Authority aforesaid, That the Rents and Fines of all such Cottages and Intacks taken out of the Highway adjoining to any Quarterlands or other Estates, whether they belong to the Lord or Barrons, being taken to Rent in or since the Year of our Lord one thousand six hundred and ten, are to be paid by those Farmers and Tennants, or other Persons unto whose Lands and Tenements those Cottages and Intacks do adjoin, and they to be

become Tennants thenceforward to the Lord for the said Cottages and Intacks; and that the said Tennants and Inhabittants dwelling in and possessing those Cottages and Intacks shall henceforward become Subtennants to the said Farmers, Tennants, and other Persons, upon such reasonable Terms as can be agreed upon betwixt them, or as shall be thought reasonable by the Court of Chancery of this Island :

4. And if any such Cottage or Intackholder do not submit to such Terms as the Court shall order therein, then such Cottage or Intackholder is to be ejected out of the said Holding, and a Jury of four Men sworn to value what Improvements he has made on the same; which said Value being approved of by the Court, the said Farmer, Tenant, or other Person, is to pay and reimburse unto the said Cottage or Intackholder, and thereupon to be immediately possessed of the same, and have Liberty to dispose of the said Cottage and Intack to whom and to what Uses he shall think fitting ;

Intackholder
&c. resisting
this regula-
tion, to be
evicted.

5. Provided always, that such Farmer, Tenant, or other Persons, unto whose Lands such Cottages or Intacks adjoin, complaining of such to be a Nuisance, shall be obliged to make the same appear to be so within eighteen Months next after the Date hereof; otherwise and in Default thereof the said Cottage or Intackholder shall have and enjoy the same, on the like Terms that other Cottages and Intacks are held and enjoyed within this Isle by virtue of the said Act of Settlement, without any Disturbance of the said Farmer, Tenant, or other Person, at any Time after the said eighteen Months are determined and expired.

Limitation
of 18
months.

6. And it is likewise provided and declared, That all Highways, out of which any Intacks or Cottages have been taken, that shall be found not to be eighteen Foot broad, according as the Statute provides, shall be enlarged out of the said Intacks or Cottages (when complained of) at any Time hereafter, any Thing herein mentioned to the contrary notwithstanding.

Highways
out of which
Intack is
taken to be
18 feet broad.

7. And whereas in the saving Part of the said Act of Settlement it is mentioned and declared, That all Quarrys and Delfs of Flagg, Slate, and Stone, are reserved to his Lordship and his Heirs as a Royalty and Prerogative belonging to them within this Isle; which Part of the said Act seems to restrain the Farmers and Tennants of the said Isle from digging and getting such Sort of common Stone as might be necessary for building and making of other Improvements on their Estates and Tenements; be

Use of
Quarrys of
common

Stone reserved for
Tennants.

it therefore enacted, ordained, and declared by the Authority aforesaid, That notwithstanding the generall Words in the said Act of Settlement, that every Tennant and Farmer shall nevertheless have free Liberty of digging, raising, and disposing of all Sort of Stone and Slates upon their respective Tenements, and as has been formerly accustomed, so that they be employed only for their own Use, and for the Improvement of their own and Neighbours' Estates and Tenements, and that they shall not dispose or make Merchandize of the same otherwise without the Lycence or Liberty of the Lord or Governor of the said Isle first had and obtained for the same.

Liberty to
quarry on
any Lands,
making moderate satisfaction.

8. And if any Farmer or Inhabitant having a Quarry or Quarrys of Limestone, or other common Stone, on his or their Grounds, shall obstinately refuse or deny Liberty to any other Person or Persons to digg or get such Limestones or other Stones for the Improvement of his or their Lands or Tenements, or otherwise, without paying him a high and unreasonable Consideration for the same; then and in such Cases it shall and may be lawfull for the Governor of this Isle for the Time being, to interpose and order that such Person or Persons as stand in need of such Limestones or other Stones may digg, raise, and carry away as much as will be necessary for his or their Use, paying unto the Farmer or Inhabitant on whose Lands the same shall be so gotten, such moderate and reasonable Satisfaction as the Governor [in his Discretion]¹ shall think fit to order and allow.

John Parr, }
D. Mylrea, } Deemsters.

Robert Mawdesley,
Tho. Sodor and Mann.
Chris. Parker,
J. Rowe,
Will. Ross,
John Bridson.

Tho. Stevenson,
Ewan Christian,
John Wattleworth,
Sill. Ratcliffe,
John Oates,
Ro. Christian,
Ro. Curghey,
Tho. Corlett,
James Oates,

Cha. Moor,
Nich. Christian,
Tho. Christian,
John Bridson,
Ro. Moor,
Dan. Iace,
John Harrison,
John Wattleworth,
John Curghey.

¹ These words appear in this copy only of the Act of Settlement.

These four Acts relating to the Settlement are likewise allowed of and confirmed by me, and ordered to be in like manner published at the next Tynwald Court.

DERBY.

At a Tynwald Court holden at St. John's Chappell the 6th Day of June, Anno Domini 1704.

The beforegoing four Acts relating to the Settlement; viz. an Act touching Carriages &c.; an Act concerning Alienations and Mortgages; an Act touching Intacks and Cottages; and an Act concerning Quarrys and Delfs, &c. were this Day publicly proclaimed upon the Tynwald Hill according to antient Form and Custome; as witness our Hands the Day and Year above written.

John Parr, }
D. Mylrea, } Deemsters.

Robert Mawdesley,
Tho. Sodor and Mann,
Chris. Parker,
J. Rowe,
Will. Ross,
John Bridson.

J. Stevenson,
Ew. Christian,
Tho. Stevenson,
Will. Christian,
Cha. Moor,
John Wattleworth,
James Christian,
John Bridson,
Ro. Christian,
Jo. Wattleworth,

James Oates,
John Harrison,
Tho. Christian,
John Curghey,
John Oates,
Ro. Curghey,
Dan. Lace,
James Bancks,
Tho. Curlett.

Which said several Acts of Tynwald being now the Basis of the Tenure of the Lands and Hereditaments, and the true Security of the real Estates and Premises within the said Isle, be it hereby declared and enacted by the Permission and Authority aforesaid, That the said Act of Settlement, and the said Act of Tynwald explanatory thereof hereinbefore set forth, and every Clause, Article, Matter and Thing therein and hereinbefore contained, shall be, and the same are hereby ratified and confirmed, and binding and effectual for and against all and all Manner of Person and Persons, Lands and Hereditaments therein and thereby meant, mentioned, and intended, to all Intents and Purposes.

Act of 1703 confirmed.

CHAPTER IV.

An Act recognizing the Power of the Court of Chancery to regulate its own Proceedings.

Court of
Chancery to
make Rules
as to Practice.

Whereas the Court of Chancery hath hitherto exercised a mixed Jurisdiction of Law and Equity, which may occasion Doubts and Difficulties in Practice, and great Expence and Delay, be it enacted by the Authority aforesaid, That the Court shall have full Power to make such Rules and Orders (from Time to Time) touching its own Practice or Proceedings, and for the better Conduct of Suitors and Practitioners as shall be found expedient; which said Rules and Orders shall be written in a fair Hand, and hung in a conspicuous Place in the said Court for the Inspection of all People.

CHAPTER V.

An Act for the better Regulation of the Proceedings in the Court of Exchequer.

Crown Debts
and Tithes
recoverable
in Exchequer
Court.

Whereas all Disputes respecting the Rights of the Crown, the imposing of Fines, and the recovering of Debts or Duties due to the Sovereign, and the determining the Right of Tythes, being properly cognizable in the Court of Exchequer, be it enacted by the Authority aforesaid,

When to be
held.

1. That hereafter the said Court shall be regularly held on the Day after every Chancery Court, or immediately after on the same Day, (if the Governor or Lieutenant Governor shall see proper), to hear and determine all Suits thereto appertaining; and that His Majesty's Attorney General for the Time being shall in the first Instance prosecute all Offenders in Revenue Matters by Summons or Process in the Nature of a Capias, praying an Arrest against the Person of the Defendant, which Capias is returnable at the next Court to be holden after the issuing thereof, (three Days being allowed between the Service and such Return);

Attorney
General to
prosecute by
Capias.

Bail for
personal Ap-
pearance.

2. And when any Offender shall thereupon be apprehended, or being apprehended, shall have given Bail for his personal Appearance, the Attorney General shall, before the second Court, file an Information setting forth the Cause of Suit, (of which Information being filed, three Days Notice shall be given to the Defendant or his Attorney before such second Court), requiring the Defendant to appear and plead thereto at such second Court, and in Default of such Appearance Judgment and Execution

Judgment by
Default at
second Court.

shall go against Defendant's Person and Effects. And at such second Court the Suit shall be heard and determined, unless sufficient Cause (to be approved of by the Court) shall be shewn to the contrary.

3. And the Governor or Lieutenant Governor is hereby Court empowered to make such Rules and Orders from Time to Time for the better regulating the Practice and Proceedings of the said Court as Occasion shall require, any Law, Custom, or Usage to the contrary hereof in anywise notwithstanding.

CHAPTER VI.

An Act for the better regulating the Proceedings in the Court of Common Law and the Proceedings therein.

Whereas great Inconveniences have arisen for want of a more frequent Holding of the said Court, and also from the dilatory Mode of Procedure by Juries out of Court; for Remedy whereof, be it enacted by the Authority aforesaid,

1. That hereafter a Common Law Court shall be holden at Castle Rushen,¹ or at such other Place as the Governor or Lieutenant Governor shall appoint, at the four following Terms or Times in the Year; that is to say, Hillary Term to begin the Monday² next following the first Thursday in February; second, Easter Term to begin Monday² next succeeding the first Thursday in May; third, Trinity Term, to begin Monday² next following the last Thursday in June; fourth, Michaelmas Term, to begin Monday² next following the fifth Day of October, for the hearing and determining Actions, real, personal, and mixed, at which the Governor or Lieutenant Governor may preside by the Deemster.

2. And that the Plaintiff in all civil Causes brought before the said Court shall cause each Defendant, if in this Isle, to be summoned by the Coroner or Lockman three Days at least previous to the Court Day, which Summons or Notice is to be verified by the Oaths of two Witnesses, whereupon the Plaintiff shall then commence his Action or file his Declaration, in which the Plaintiff shall set forth the Right or Title under which he claims specially;

¹ By Common Law Court Act of 1796 Court to be held in Southern and Northern Districts, that in the latter District to be on the Monday following those mentioned in this section.

² By Common Law Court Act of 1800 Court to be held on the Tuesdays following the Mondays mentioned in this Act and in the Act of 1796.

Form of
Summons if
Deft. off
Island.

Action to be
tried by Jury
of six.

Special Plea,
&c. to be filed
in twenty
Days.

Speedy Trial
in case of
Necessity.

Time
allowed to
Deft. off
Island.

Summary
Jurisdiction
of Deemster
reserved.

Court may
give time.

3. And if the Defendant be of this Isle, then such Summons shall be given not only to the Tenant in Possession, but likewise Notice left at the last Place of Abode of him the said Defendant, and that each Defendant do thereupon enter his Appearance and proceed to his Defence, so that the same may be tried by a Jury of six good and lawful Men, to be summoned, impannelled, approved of and sworn as hereinafter mentioned for that Purpose the second Term ;

4. Provided that in case the Defendant shall file a Special Plea, Special Plea or Demurrer within twenty Days after the said first Court, the same shall be argued at such short Time afterwards as the Court shall upon Application direct ; and in case the same be over-ruled, the Defendant shall pay Costs at the Discretion of the Court ; and if within this Isle, be also obliged to join Issue, so as that the Cause may come on to be tried the second Court Day ; and if resident out of this Isle, on the fourth Court Day ;

5. And provided, that in mere Matters of Debt, where either Party shall intend or be obliged, or shall be suspected of an Intention to leave the Island speedily, the Suit may be heard and determined at a Special Court, upon Application to the Governor or Lieutenant Governor at such Time as he shall appoint ;

6. And provided also, that in case the Defendant, or all or any of his Evidences, shall live or be out of the Isle, upon good Cause shewn, supported by Affidavit, such reasonable Time shall be allowed for his Defence as the Court shall see proper to give ;

7. Provided nevertheless, that the Deemster shall hear and determine all Causes and Suits in a summary Way without a Jury as heretofore accustomed ;

8. And that this Act shall not restrain, or be construed to restrain the said Court from giving such further Time to the Parties, Plaintiffs, or Defendants, for the appearing to and prosecuting or defending their respective Suits as the said Court shall direct, any Law, Custom, or Practice to the contrary hereof in anywise notwithstanding.

CHAPTER VII.

An Act for Trials in Treason and Felony, and regulating the Proceedings of the Court of General Gaol Delivery.¹

Whereas the present Method of finding Bills of Indictment against suspected Persons or Felons by a Jury of six Men, wants some Regulation, which may tend to the more certain Detection of enormous Crimes, and the more effectual Punishment of such Offenders, be it enacted by the Authority aforesaid, That where any Person shall be apprehended on Suspicion of having committed any Crime, or any Act which by the

¹ Amended by Act of 1832, and repealed by Criminal Code, 1872.

Laws of this Isle is declared to be Treason or Felony, the Coroner, in whose Sheading such has been committed, shall, after the Offender is taken into Custody and secured by him, (*ex officio*), thereupon proceed by Warrant from a Deemster, and summon a Jury of six good and lawful Men out of the Sheading, together with all such Persons as can give any Testimony in the Matter, to appear before the Deemster, and in his Presence and under his Direction to make Enquiry and to take Evidence in Writing touching the Facts complained of; and the Deemster, after due Enquiry and Examination had as aforesaid, is hereby required to receive the Indictment or Verdict of the said Jury according to the Law of this Isle, and to transmit the same, together with the Depositions, to the Office of the Clerk of the Rolls, and to release, admit to Bail, or imprison such Person or Persons so charged and indicted by the Jury as the Nature of the Cause shall require. And be it enacted by the Authority aforesaid, That in all criminal Cases when the Prisoner shall be so indicted, and shall have been so committed to Prison at least three Days before the Head Court is held, a Jury shall thereupon be convened according to ancient Custom, consisting of twelve good and lawful Men to try the Fact before such Court of General Gaol Delivery. And be it further enacted by the Authority aforesaid, That the said Court of General Gaol Delivery shall be holden at Castle Rushen as Occasion shall require by Order of the Governor or Lieutenant Governor; at which Court all Persons so indicted as aforesaid shall be arraigned and tried in Manner heretofore accustomed, any Law, Custom, or Practice to the contrary hereof in anywise notwithstanding.

Treason or Felony.

Jury to be summoned.

Deemster to hear Evidence, receive Verdict, and commit Offender, to be tried at Court of General Gaol Delivery.

CHAPTER VIII.

An Act for the better Regulation of Proceedings by Juries before a Court of Common Law.

Whereas great Inconveniencies have arisen from the Proceedings of Juries out of Court, be it enacted by the Authority aforesaid,

1. That hereafter all Actions and Suits at Common Law, which require a Trial by Jury, shall be tried and determined at the Common Law Court, and that the Juries for that Purpose shall severally consist of six Men, to be duly impannelled, approved of, and sworn to try the Issue between the Parties as hereafter mentioned, and that upon such Trial the Court may, upon sufficient Cause shewn, order the Evidence to be taken in Writing, and the Jury, upon mature Deliberation thereon, shall return their Verdict, in the Face of the said Court in Writing, and not depart therefrom till a Verdict is so given;

Actions triable by Jury to be tried at Common Law Court.

Evidence and Verdict to be taken in Writing.

~~2. But if it shall happen that such Jury shall not agree in their Verdict in any convenient Time, the said Court shall in that Case be empowered to order such Jury to be confined in some proper Place, and there to remain until they have agreed, and such Jury shall not be discharged until they have delivered their Verdict to the said Court or Magistrate;~~

Jury to be confined till they agree.

3. And if any Person or Persons shall apprehend him or herself aggrieved by the said Verdict, such Person or Persons shall be at Liberty to traverse the same to the House of Keys in all Actions wherein the Title of Lands, or its

Traverse to House of Keys

Sections 2. 6 + 7 of this act repealed by the Jury act. 1896.

or to
Governor.

Appurtenances, come in question,¹ and by Appeal to the Governor or Lieutenant Governor in all other Cases whatsoever, who shall proceed in such Manner therein as to him shall seem Right;²

Bonds to be
given within
21 Days.

4. And the said Party so traversing or appealing as aforesaid shall give in Bonds in three Pounds within twenty-one Days from and after the Day of recording the Verdict to prosecute such Traverse or Appeal with Effect;³

Trespass
Jury to
continue.

5. Provided always that nothing herein contained shall subvert or alter the present Mode of Proceeding in a summary Way by Jury of Enquiry to find out lost or stolen Goods and⁴ Trespassers, wherein a Jury of four Men shall be sufficient.

Process to
Coroner to
summon
Jury.

6. And be it further enacted by the Authority aforesaid, That hereafter in the Trial of all Suits where a Jury is by Law necessary, the Court before whom such Trial is to be had shall at least six Days before the Sitting of the said Court issue Process to the several Coroners, thereby requiring them to summon two or more good and lawful Men as required out of every Parish to appear and attend at such Court, of which such Jurors shall have at least three Days Notice, and at the Sitting of such Court every Coroner shall make Return in Writing of the Persons Names which he has so summoned, with his Addition and Place of Abode, which shall be written by the proper Officer of the Court on distinct Pieces of Paper of equal Size, and shall be by him given in such Court publickly to the proper Judge or Magistrate then presiding, who shall cause the same in his Presence to be rolled up and put into a Box, and when any Cause is so called to be tried some indifferent Person shall in open Court draw out six of the Papers;

Jury to be
drawn by
Lot.

Jurors
absent or
challenged.

7. And if any of the Persons therein named and so drawn do not appear, or shall be challenged by a Party and disapproved of by the Court, then a further Number shall be drawn to compleat the said Jury, and the said six Persons so drawn and approved of (their Names being marked in a Pannel), and sworn, they shall be kept apart in a Box or Place during the Trial; and the same Mode of Procedure to be repeated in ascertaining Jurors as often as Occasion requires; and if it shall happen that a Cause shall be brought on in the said Court to be tried before the Jury in any other Cause shall have returned their Verdict, the Court may order six of the remaining Number to be drawn as before to try such Cause, and so on in like Manner;

¹ Amended by Act of 1793.

² Repealed by Act of 1793.

³ Repealed by Act of 1847.

⁴ Repealed by Act of 1793.

8. Provided always, that if either Party, Plaintiff or Defendant, shall move the Court of Common Law to have a View or Special Jury, and the said Court find just Cause for the same, a View shall be granted, and a Special Jury shall be returned, impannelled, and sworn in such fair, open, and impartial Manner as the said Court shall direct.

9. And whereas from the Proceedings of the Great Enquest in Matters heretofore cognizable by them a Traverse was allowed to a Long Jury, and from them to the House of Keys, which Mode of Procedure is found to be dilatory and vexatious, be it enacted by the Authority aforesaid, That hereafter such Great Enquest, and all Proceedings before them, shall cease, and that all Matters heretofore cognizable before the Great Enquest and Long Juries shall be tried and determined at Common Law according to the Rules hereinbefore provided for the Regulation of that Court, any Law, Custom, or Usage to the contrary hereof in anywise notwithstanding.¹

Great En-
quest abo-
lished.

CHAPTER IX.

An Act for the better Regulation of the interior Police of the Island, and the Recovery of small Debts before the High Bailiffs.

Whereas the Multiplicity of trivial Causes, Suits, and Controversies cognizable by and before the Deemster of this Isle, hath been found to be attended with great Inconvenience, Fatigue, and Expence, as well to the said Magistrate, who for the better accommodation of the Public, hath been obliged to make frequent Circuits to the North Division of this Isle, as to the Suitors, Witnesses, and Jurors, who must necessarily attend the said Causes at such Time and Place as the same when Issue is joined may require; for the Remedy of which said Inconveniences, it hath been judged expedient to erect a new Jurisdiction in each of the four several Market-Towns of this Isle for the Hearing and Determination of Matters of Debt where the Demand doth not Amount to the Sum of forty Shillings; be it therefore enacted by the Permission and Authority aforesaid,

Debts under
40s. to be
recovered in
High Bailiffs'
Courts.

1. That from and after the Promulgation of this Act it shall and may be lawful to and for the High Bailiff of Castletown District. Castletown District.

¹ Great Enquest revived with limited jurisdiction by Act of 1793.

convening of any Party or Parties, Witnesses, or other Persons whom it may concern, before him in Matters of Debt arising within Castletown aforesaid, or within the several Parishes of Malew, Santon, Arbory, and Rushen, or any of them ; in which Warrant the Sum in Demand shall be specified, and shall not Amount to forty Shillings ;¹ and the said High Bailiff is hereby authorized and impowered to hear and determine all and every such Cause and Controversy at Castletown aforesaid, and to give Judgment therein, and grant Execution for such Debt and Costs, so that the principal Debt doth not amount to forty Shillings, exclusive of Costs, in his Discretion, in such and the like Manner and Form, and with the like Authority and Jurisdiction as the said Deemster now doth and hath hitherto done ;

Douglas
District.

2. And the High Bailiff of Douglas is hereby in like Manner authorized and impowered to hear and determine all and every such Cause and Controversy aforesaid, under the Limitation and Restriction beforementioned, arising within the said Town of Douglas, or the several Parishes of Lonnán, Conchan, Braddan, and Marown, or any of them ;

Peel District.

3. And the High Bailiff of Peeltown is hereby in like Manner authorized and impowered to hear and determine all and every such Cause and Controversy aforesaid, under the Limitation and Restriction beforementioned, arising within the said Town of Peel, or the Parishes of Patrick, German, Michael, and Ballaugh, or any of them ;

Ramsey Dis-
trict.

4. And the High Bailiff of Ramsay is hereby in like Manner authorized and impowered to hear and determine all and every such Cause or Controversy aforesaid, under the Limitation and Restriction beforementioned, arising within the said Town of Ramsey, or within the Parishes of Jurby, Andreas, Bride, Lezayre, and Maughold, or any of them ;

High Bailiffs
to be ap-
pointed by
Governor.

5. Which said several and respective High Bailiffs are to be nominated and appointed by the Governor in Chief, or Lieutenant Governor of this Isle for the Time being ;

Coroners, &c.
to execute
orders of
High Bailiffs.

6. And all Coroners, Lockmen, Petit Constables, and others whom it shall and may concern, are hereby required to execute their Office and yield Obedience to such Directions, Orders, and Judgments of the said several and respective High Bailiffs in such and the like Manner and Form as now and heretofore they did yield Obedience to the Directions, Orders, and Judgments of the Deemster ;

¹ Equal to £1. 14s. 3½d. British Currency.

7. Provided always, that if any Party or Person shall find himself grieved by the Order and Judgment of the said High Bailiffs, or any of them, it shall and may be lawful to and for such Party or Person to prefer his Appeal from such Order or Judgment to the Deemster, and the said High Bailiff shall accept the same, provided that such Appeal be preferred within seven Days from the Day of the Service of such Order or Judgment, which Service is to be certified by the Officer executing the same, and exhibited to the High Bailiff with the Appeal which may be preferred from such his Order or Judgment;

Appeal to Deemster to be preferred within 7 days from service.

8. And that the Appellant or Appellants do also enter into a Bond with or without Sureties at the Discretion of the High Bailiff in the Rolls Office in the Sum of three Pounds to our Sovereign Lord the King, that he or they the said Appellant or Appellants shall and will prosecute such Appeal with Effect within the Term limited in the Acceptance thereof, which shall not exceed one Month, and shall also answer such Judgment, Costs, and Charges, as shall be awarded by the said Deemster in case the Order or Judgment appealed from be affirmed;

Appellant to enter into Bond.

Appeal to be within one month.

9. But if no Appeal be preferred, or if Bonds be not entered into according to the Directions of this Act, then the Order or Judgment of the said High Bailiffs severally or respectively shall for ever thereafter be final and conclusive upon all Parties, provided always that if the said High Bailiffs or any of them shall, upon hearing of any Cause or Controversy brought before them in pursuance of this Act, find that the Plaintiff's Debt or Demand, exclusive of Costs and Fees, doth amount to the Sum of forty Shillings, that then such High Bailiff shall dismiss such Suit for want of Jurisdiction with Costs.

If debt, &c. exceed 40s. suit to be dismissed.

10. And it is hereby further declared and enacted by the Permission and Authority aforesaid, That if any Party or Parties shall commence any Cause or Suit before the Deemster for Recovery of a Debt or other Demand under the Value of forty Shillings, or without shewing good Cause why he apprehended that such his Debt or Demand should amount to that Sum, it shall and may be lawful to and for the said Deemster to dismiss such Suit with Costs as not cognizable before him.

Deemster may dismiss Action brought in his Court under 40s.

11. And it is further declared and enacted, That no Party or Parties Plaintiff shall recover any Debt or Demand, unless he or they shall serve the Defendant or Defendants with an Account or State of his Claim or Demand three

Defendant to be served with Account three Days before Trial

in Deemsters and High Bailiffs Court. Days at the least before the Hearing of the Cause by the said Deemster or the said High Bailiffs, or any of them, severally and respectively.

Civil Duty of Captains to be transferred to High Bailiffs. **12.** And be it further enacted by the Permission and Authority aforesaid, That all and every civil Duty and Power heretofore vested in the Captains of the several Market Towns, shall and are hereby committed to the Jurisdiction, Orders, and Directions of the High Bailiffs severally and respectively.

Repairing, &c. of Streets. **13.** And that the said several High Bailiffs in their respective Towns shall have full Power and Authority to make and give such Rules, Orders, and Directions, with respect to the repairing, amending, and compleating of the several Streets, and the Removal of Encroachments, Nuisances, Filth and Rubbish in the said Towns, or the Districts thereunto respectively belonging, in such Manner as in his and their Judgment shall be most conducive to the Publick Convenience, any Law, Custom, or Practice to the contrary hereof in anywise notwithstanding.¹

High Bailiffs to attest Deeds, &c. **14.** And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the several High Bailiffs in the respective Towns and Districts to take the Acknowledgment of Parties or Testimony of Witnesses for the Probate of all Deeds and Instruments in as ample a Manner as the Deemster hath hitherto practised, or shall appear to be lawfully authorised to do.

High Bailiffs Civil Magistrates, and to have concurrent jurisdiction. **15.** And it is hereby further declared and enacted by the Permission and Authority aforesaid, That the High Bailiffs in the Execution of their Offices shall be considered and reputed as Civil Magistrates of this Isle to all Intents and Purposes whatsoever; and that each High Bailiff shall have a concurrent Jurisdiction with each other as Occasion may require.

CHAPTER X.

An Act for the ascertaining of Weights and Measures.²

Laws respecting Weights and Measures to be repealed. Whereas diverse Frauds have been committed with respect to the Weights and Measures used in this Isle, and the several Acts, Statutes, and Ordinances relative thereto having proved insufficient to prevent the same; for Remedy whereof, be it enacted by the Permission and Authority aforesaid, That from and after the tenth Day of October 1777 the said several Acts, Statutes, and Ordinances be, and the same are hereby repealed; and that all Weights and Measures made use of in the buying or selling of any Goods, Wares, Merchandize or other Matter or Thing whatsoever within this Isle, shall be according to the Standard of His Majesty's Exchequer in England, and that a Standard of such Weights and Measures shall be kept in Castle Rushen by the Regulator of Weights and Measures, who shall be appointed by the Governor for the Time being, and such Sets of the like Weights and Measures shall be delivered to and kept by the respective High Bailiffs in the several Market Towns of this Isle, and

Standard of English Exchequer to be used.

¹ High Bailiff's powers transferred to Town Commissioners of Douglas by Act of 1860, and of Ramsey by Act of 1865. Streets of Castletown and Peel vested in Highway Board by Highway Act of 1874.

² Amended by Acts of 1840 and 1851, and repealed by Weights and Measures Acts, 1864 and 1880.

that all Weights and Measures made use of in the said Towns or Districts thereof shall be compared, examined, and regulated thereby, and shall be stamped or marked by such High Bailiff in whose Possession a Standard as aforesaid shall remain, such High Bailiff taking for each Weight or Measure so compared, stamped, or marked by him as aforesaid, the Fee of one Penny; and he the said High Bailiff, with the Assistance of one or more Petit Constables, is hereby required to inspect the Weights and Measures used within his District from Time to Time four Times in the Year at least; and in case any Person or Persons shall weigh or measure out any Goods, Wares, or Merchandize or other Matter or Thing whatsoever by any Weight or Measure not stamped or marked as aforesaid, or by any Weight or Measure which shall be upon Examination found deficient according to the said Standard, shall be forthwith renewed, or broken and destroyed, the Offender and Offence shall be reported in Writing by the said High Bailiff to the said Regulator, and the Person or Persons offending, by using such unlawful or defective Weights or Measures, shall thereupon severally forfeit for the first Offence the Sum of ten Shillings, and for the second Offence twenty Shillings, and for the third Offence three Pounds, and for every Offence thereafter such Offender or Offenders shall severally be subject to a Fine not exceeding the Sum of five Pounds, or Imprisonment not exceeding one Month; which said several Forfeitures or Fines shall, by Order of the Governor or Lieutenant Governor for the Time being, be forthwith levied by Execution and Distress, and paid into the Hands of the said Regulator of Weights and Measures, and by him distributed among such High Bailiffs, Petit Constables, and others employed in the carrying of this Clause of the Act effectually into Execution, in such Manner, Shares, and Proportions as the Governor of this Island for the Time being shall for that Purpose direct or appoint; and the said Regulator of Weights and Measures is hereby required to keep a Book and make entries therein of all Proceedings and Transactions which shall occur in his Department as aforesaid for the Examination and Inspection of all and every Person and Persons whom it shall or may concern.

High Bailiff in each Town to keep a Set.

Weights and Measures to be inspected 4 Times each Year.

Fine for false Weights, &c. to be distributed among High Bailiffs.

CHAPTER XI.

An Act for the Prevention of arbitrary and unjust Imprisonment.

Whereas unwarrantable Arrests and arbitrary Imprisonments are not sufficiently provided against by the Laws of this Isle, to the great Infringement of Personal Liberty and the natural Rights of the Subject, be it therefore enacted by the Authority aforesaid,

1. That hereafter all Arrests for Debt or Contract, without Specialty, by virtue of any Process issuing from the Courts or Magistrates of this Isle, shall be granted on the Affidavit in Writing of the Party Complainant, or some proper Person in that Behalf, according to the best of his Judgment and Belief, and not otherwise; which Affidavit is to specify the Cause of such Debt or Contract, and that the same is just and reasonable according to the Nature thereof; which Affidavit may be taken by the Clerk of the Rolls, or other Person duly authorised by the Court or Magistrate for that Purpose, and such Affidavit shall be annexed to and filed with such Process, for the taking and filing thereof Sevenpence¹ only is to be paid; and that Processes of Arrest issued for the Recovery of Debts by Specialty may be granted without Affidavit on Sight of such

Arrests to be granted on Affidavits in Writing.

¹ Increased by Official Fees Act, 1874.

Persons leaving the Island may be arrested without Affidavit, for 24 hours.

Warrants in Criminal Case on Affidavit.

Right of Action.

Specialty, and a Recital thereof in such Process; provided also, that if any Person or Persons who shall be liable to any civil Process for Debt, Contract, or otherwise, shall be about to leave the Island without settling the same, it shall and may be lawful for the Person likely to be aggrieved (taking with him a civil Officer) to stop such Person or Persons, or to cause him or them to be apprehended and detained for the Space of twenty-four Hours, and no longer, until a regular Process of Arrest be obtained, or the Matters adjusted.¹

2. And be it also enacted by the Authority aforesaid, That all Warrants to apprehend, and all Commitments in Criminal Cases, shall be issued upon Oath of the Prosecutor or Person aggrieved, setting forth the Fact, or the Cause of Suspicion of some criminal Act, or upon the Return or Verdict of some Jury duly sworn and authorised, and not otherwise;²

3. And that in all Cases when the Party imprisoned shall think himself injured, either from frivolous or vexatious Arrests in Civil Matters, or from Commitments in Criminal Proceedings, such Party may sue for Damages against such Prosecutor by Action at Law, to be ascertained and adjudged by a Jury of six Men according to the Circumstances of the Case.

CHAPTER XII.

An Act to prevent Fraud and Imposition in the making of Nuncupative Wills.³

Whereas the Custom of making Nuncupative Wills prevails almost generally in this Isle, from which People are induced to leave the Settlement of their Affairs till their last Moments, when they are unable or unfit to make a proper Disposition thereof, which frequently gives Occasion to much Dispute and Litigation, and tends to introduce Perjury and other Enormities; be it therefore enacted by the Authority aforesaid,

Two Witnesses necessary to Nuncupative Will.

To be committed to Writing in ten Days, &c.

Notice to next of Kin.

Written Will not revoked by Nuncupative.

1. That hereafter no Nuncupative Will shall be valid whereby Lands are devised or personal Estate bequeathed, that is not proved by two Witnesses at the least who were present at the making thereof, and that the Testator at the Time of pronouncing the same being of sound and disposing Mind, Memory, and Understanding, did bid the Persons present, or some of them, bear Witness that such was his Will, or to that Effect;

2. And that six Months after the Testator's speaking the pretended Testamentary Words no Testimony shall be received to prove any Nuncupative Will, except the said Testamentary Words, or the Substance thereof, were committed to Writing within ten Days after the making or publishing of the said Will;

3. And that no Letters Testamentary or Probate of any Nuncupative Will shall be granted by any Court till fourteen Days at the least after the Decease of the Testator be fully expired;

4. Nor shall any Will whatever be at any Time received, unless Notice has been given to call in the Widow Relict, or next of Kindred to the Deceased, to the End that they may object if they please;

5. Nor shall any Will in Writing concerning any Goods or Chattles, real or personal, be revoked, altered, or changed in the Whole, or in Part, by any Nuncupative Will, except the same be in the Life-time of the Testator committed to Writing, and read to him or her, and allowed or approved of, and so proved by the Oath of two Witnesses at the least, any Law, Custom, or Usage to the contrary hereof in anywise notwithstanding.

¹ Amended by Act of 1820.

² Procedure amended by Petty Sessions Act, 1864, and repealed by Criminal Code, 1872.

³ Repealed by the Wills Act, 1869.

CHAPTER XIII.

An Act for ascertaining the Interest of a Wife or Widow in the Estate of her Husband.

Whereas Feme Coverts are by Custome entitled to one Half of their Husband's personal Estate and Effects within this Isle, originally meant as Dower, which by Usage hath been so perverted that, by this Custom married Women now claim an absolute and distinct Property in one Half of the Goods and Chattles of their Husbands, insomuch that they make Wills during Coverture, and dispose of one Half; or in case of their dying intestate without Issue, Administration is granted to their own Kindred in Seclusion of the Husband's Right; from whence it often happens, that a Man in flourishing easy Circumstances, by the Accident of his Wife's Death, is utterly ruined, his Goods and Effects being immediately inventoried and sold, and one Half of their Value distributed among Strangers; to prevent which, be it enacted by the Authority aforesaid,

Preamble.

1. That from henceforth, upon the Death of a Husband before his Wife, one Half of the whole Goods and Chattles, purchased Lands and Premises, shall become the Property of his Wife or Widow, to be disposed of at her own Will and Pleasure, subject to one Half of the Debts; but that in case the Wife dies before her Husband, and without Issue, her Right in such Goods and Chattles, Lands and Premises, shall cease and determine, and the same be and remain wholly to the Husband as his sole and absolute Property; provided nevertheless, that nothing herein shall prevent a Wife from making a Will of the Lands, Premises, and Effects aforesaid, even in the Life-time of her Husband as heretofore accustomed, in Favour of the lawful Issue of her Body, or to her Husband, but of no other Persons whatsoever.¹

Rights of Husband and Wife in each others property.

2. And be it enacted by the Authority aforesaid, That no Houses, Lands, or Premises, either Quarterland, Mills, Cottages, or Intacks, purchased or acquired, shall be construed, deemed, or taken to be personal Effects or Chattles, so as to be considered as Assets in the Hands of Executors, or subject to be claimed by Right of Consanguinity, or next of Kindred, in Exclusion of the Heir at Law, any Law, Custom, or Usage to the contrary notwithstanding;

Purchased Lands not to be considered Assets to exclusion of Heir.

3. Provided always, that this Act, nor any Thing therein contained do affect or prejudice any Articles, Settlement, Contract, Agreement, or other Deed heretofore made, or hereafter to be made and executed by or between any Party or Parties, either before or after their Intermarriage, for the Settlement of the purchased Lands and Premises, or personal Estate of such Parties, or either of them, married or to be married, but that such Deeds shall have their full Effect according to the true Intent and Meaning thereof, and of the Parties thereto;

Marriage Settlements, &c. not prejudiced.

4. Provided also, that nothing in this Act shall exclude nor restrain the Purchaser or Purchasers of such purchased or acquired Premises from granting or devising the same as he, she, or they shall by Deed or Will think proper;

Sale, nor Devise restrained.

5. Provided also, that nothing herein contained shall preclude or prevent the Proprietors of Lands, of whatsoever Nature or Tenure, from selling or alienating such Lands and Premises by Deed duly executed for a full and valuable

Rights of alienation, &c. not prejudiced.

¹ Repealed by Act of 1852.

Consideration as heretofore accustomed, or lessen the Rights of Mortgagees in any Houses, Lands, or Tenements, or of any Persons possessed of Leasehold Estates for any Term or Terms of Years, or prejudice just Creditors, but that such Houses, Lands, and Tenements shall be held and enjoyed by them according to their respective Claims, Rights, and Interests therein.

Lands of In-
heritance
may be
Leased for
twenty-one
Years.

6. And be it further enacted by the Authority aforesaid, That all and every Person being seized of any Lands of Inheritance shall be, and is hereby empowered to grant a Lease of the Whole or any Part of such Estate of Inheritance for any Term not exceeding twenty-one Years in Possession, and that the highest and most improved Rent be had for the same.

CHAPTER XIV.

An Act for the Distribution of Intestates personal Estates.

Preamble.

Whereas the Practice of granting Administration of the personal Estates of Intestates to Brothers and Sisters, or other collateral Kindred, in Exclusion of the Intestate's Parent, hath occasioned Family Disturbances and Litigations ; for Remedy whereof, be it enacted by the Authority aforesaid,

Half to Wife,
Residue to
Children,
except such
as are already
advanced in
Life.

1. That the personal Estate of any Person dying intestate, after the Payment of Debts and Funeral Expences, shall be distributed in Manner and Form following ; that is to say, one Half of the Surplusage to the Wife of the Intestate, and all the Residue by equal Portions to and amongst the Children of such Persons dying intestate ; and such Persons as legally represent such Children, in case any of the said Children be then dead, other than such Child or Children who shall have any Estate by Settlement of the Intestate, or shall be advanced by the Intestate in his Life-time by Portion or Portions equal to the Share which shall by such Distribution be allotted to the other Children to whom such Distribution is to be made ; and in case there be any Child who shall have any Estate by Settlement from the said Intestate, or shall be advanced by the said Intestate in his Life-time by Portion not equal to the Share which will be due to the other Children by such Distribution as aforesaid, then so much of the Surplusage of the Estate of such Intestate to be distributed to such Child or Children as shall have any Land by Settle-

ment from the Intestate, or were advanced in the Life-time of the Intestate, as shall make the Estate of all the said Children to be equal as near as can be estimated ;

2. And in case there be no Children, nor any legal Representatives of them, then one Moiety of the said personal Estate to be allotted to the Wife of the Intestate as aforesaid ; the Residue of the said personal Estate to be distributed equally to every of the next of Kindred of the Intestate who are in equal Degree, and those who legally represent them, provided that there be no Representation admitted among Collatteralls after Brothers and Sisters Children ;

If no issue $\frac{1}{2}$ to Widow and $\frac{1}{2}$ to next of Kin.

Collaterals.

3. And in case there be no Wife, then all the said personal Estate to be distributed equally to and amongst the Children ;

If no Wife, whole to Children.

4. And in case there be no Child, then to the next of Kindred in equal Degree of or unto the Intestate, and their legal Representatives as aforesaid ;

If no Child to next of Kin.

5. And in case there be no Wife or Child, then the Whole of the personal Estate of such Intestate to go to the Father ;

If no Wife or Child, to Father.

6. And if there be no Father, then to be distributed equally to and amongst the Mother, Brothers, and Sisters, or their legal Representatives ;

If no Father, to Mother, Brothers, and Sisters.

7. And in case there be neither Father, Mother, Brother, or Sister, then to the next of Kindred in equal Degree of or unto such Intestate, and in no other Manner whatsoever.

If no such, to next of Kin.

CHAPTER XV.

An Act for the Appointment of Attorneys, and for the fixing of their Fees.¹

Whereas the Custom of permitting Persons not bred to the Profession of the Law to practise as Attorneys hath been found greatly to promote a Spirit of Litigation, and the Want of a proper Table of Fees hath been the Occasion of frequent Instances of Imposition upon Clients, he it enacted by the Authority aforesaid,

1. That hereafter no Person shall plead in any Court, (except in his own Cause), or sue out any Process, or act in the Character of Attorney or Advocate before any Court, Judge, or Magistrate, until he be first approved of and

No Person to act as an Attorney without Commission from Governor.

¹ Amended by Acts of 1826 and 1874.

Oath to be taken.

Attorneys not to become Bail.

Champerty forbidden.

Attorneys guilty of Champerty, to be fined, imprisoned, and declared incapable to Practice.

Champertor to be remitted for Trial.

Trials for Champerty by Jury as in other Criminal Offences.

Proviso in favour of Parents, &c.

commissioned to act by the Governor or Lieutenant Governor of this Isle under his Hand and Seal, and until he shall have publickly taken the Government Oaths, as also the following one : “ I, *A. B.* do swear that I will truly “ and honestly demean myself in the Practice and Knowledge of an Attorney to the best of my Ability.”

2. And whereas it hath been the Practice for Attorneys to become Bail for their Clients, which is often attended with many unfair Consequences, be it further enacted by the Authority aforesaid, that no Attorney shall become Bail in any Suit whatsoever.

3. And for the further Discouragement of Law Suits which are or may be fomented and carried on within this Isle by Champerty, be it also enacted by the Authority aforesaid, That from henceforth no Pleader, Attorney, Solicitor, or other Person, shall take up, move, or maintain any Plea, Cause, or Suit in any of the Courts of the said Isle, or before any Judge or Magistrate thereof, by way of Champerty ; that is to say, by making any Bargain, Contract, or Agreement beforehand, or during the Plea, to have Part of the Lands or Profits of the Lands, or other Thing in Litigation, or Part of the Debt or other Thing in Suit, or any Reward thereof, either by their own Procurement or by others, nor to carry on such Suit or Plea at his or their own proper Cost upon the Event of the Cause ; and if any do and be thereof lawfully convicted, he or they so offending shall be fined and imprisoned at the Discretion of the Court for any Time not exceeding three Months, and be declared incapable of practising in the Law at any Time afterwards ;

4. And if any Champertor shall happen to be discovered upon the Hearing or Trial of any Cause or Suit, the Judge before whom it is depending shall remit him or them over to be tried ;

5. And all Trials for Champerty shall be by Procedure by a Jury as in other Criminal Offences according to the due Course of Law, and the Prosecution may be commenced and carried on either at the Suit of our Sovereign Lord the King by the Attorney General, or by the Party aggrieved ;

6. Provided always, that this Act shall not be understood to prohibit Parents, near Relations, or Friends from giving Aid or Assistance to any Party in Suit, and that a Grant or Bargain made to have Part of the Thing in Demand when recovered to satisfy a just Debt or other Thing justly owing shall not be deemed Champerty within the Intendment hereof.

7. Provided also, and be it further enacted by the Authority aforesaid, That any poor Person or Persons (destitute of Relations and Friends to yield such Assistance) who hereafter shall have Cause of Action or Suit against any Person or Persons within this Isle shall, upon Application to the Court or Judge before whom the Suit depends or is to be commenced, and making Oath that he or they is or are not worth five Pounds after his or their Debts paid, be allowed to employ any Attorney or Attorneys who will undertake his or their Cause to manage, solicit, plead, defend, and carry on the same through the Course of Law, which Attorney or Attorneys shall be allowed to lay out and expend his or their own Money as necessary in the Prosecution thereof, to be paid upon the Event of the Cause; and for their Indemnification therein, and to recompense him or them for his or their Fees, Trouble, and Expences, such Court or Judge, upon the Request of such poor Person or Persons, is hereby authorized and empowered to grant him or them Liberty to give and make such Attorney or Attorneys Security upon the Estate, Houses, Lands, Goods, Chattles, or Effects in Issue, or to be sued for either by Sale, Mortgage, or Assignment to such Extent or Amount as such Court or Judge shall see reasonable; and such Deeds or Assignments so made shall receive the necessary Qualifications and Formalities of Law, and shall, both in Law and Equity, effectually operate upon the Estate or Thing in question, when the same shall be recovered or finally determined in his or their Client's Favour, any Thing herein contained to the contrary notwithstanding.

Poor Person destitute of Relations, &c. to afford Assistance, shall on Application to Court, &c. be allowed to employ an Attorney to defend and carry on the Cause, who may lay out or expend his Money thereon, such poor Persons giving Security on Property at Issue.

TABLE OF FEES FOR ATTORNEYS.¹

	£.	s.	d.
A Retainer - - - - -	0	2	11
Attendance receiving Instructions - - - - -	0	3	4
Drafting a Bill in Chancery for each Sheet wrote on all Sides, except the last Sheet if it should not happen to be wholly wrote - - - - -	0	3	6
Attendance filing the same, and ordering an Office Copy thereof for Service - - - - -	0	1	2
Attendance at the Office receiving the said Copy - - - - -	0	0	7
Taking out a common Action - - - - -	0	0	7
Attendance to obtain Process on the Bill or Action - - - - -	0	1	2
Attendance on the Constable directing the Bill or Action to be served - - - - -	0	1	2
Drawing a Petition for each Sheet wrote on all Sides, except as aforesaid - - - - -	0	2	11
Preferring the same for a Reference or Order - - - - -	0	1	2
A common Motion in Court - - - - -	0	2	11
Drafting the Answer of each Defendant for each Sheet wrote on all Sides, except as aforesaid - - - - -	0	2	11
Drawing a Replication, Bejoinder, Demurrer, or Exceptions - - - - -	0	2	4
To Drafting a Plea, or such like Special Proceedings, for each Sheet wrote on all Sides, and fair copying the same - - - - -	0	2	11
Attending the Examination of Evidence - - - - -	0	5	10

¹ New Scale substituted by Act of 1813.

	£.	s.	d.
And if a whole Day, or more, to be allowed each Day	-	-	0 12 3
Preparing and producing a Brief for the Hearing of any Proceeding on the Merits, 3s. 4d., and if more than one Sheet, 8s. 4d. per Sheet	-	-	0 3 4
Arguing the same on the Merits	-	-	0 5 10
But if the Cause be by Bill, Answer, and Depositions, in that Case to be allowed in each Cause	-	-	0 12 3
The beforegoing Fees to arise on any such Business or Proceedings as hereinbefore mentioned done in the Chancery, Exchequer, Common Pleas, or the Courts of Admiralty, Spiritual or Manerial Courts within this Isle.			
Attendance on the Deemster on a common Application	-	-	0 1 2
Arguing or Pleading on a Trial before the Deemster	-	-	0 2 11
Appearing in the Proceedings before a Jury	-	-	0 2 11
And if a whole Day, or more, for each successive Day to be allowed	-	-	0 12 3
Attending Business before any of the Courts, Magistrates, or Juries, for each Day	-	-	0 12 3
Taking Depositions in Writing before a Jury, for each Deposition	-	-	0 1 2
Drawing any Deed of Conveyance, Will, or other Instrument	-	-	0 2 11
But if the same be more than one Sheet, then for each such Sheet wrote on all Sides, except the last, if it should not be wholly wrote	-	-	0 2 11
Drawing a Personal Bond, Note, Draft, or the like	-	-	0 1 2
Drawing a Jury's Verdict	-	-	0 1 2
Attendance on Business at $\frac{1}{2}$ Mile	-	-	0 1 2

Which Attendance and Journeys are to be paid for over and besides the Fees arising for the Business done at the Place of each Attendance.

**Taxation of
Bill of Costs.**

**Six Days'
Notice.**

8. And be it enacted by the Authority aforesaid, That in case any Dispute do arise between the Attorney and his Client, or other Party subject to the Payment of the Bill of Costs, that such Attorney shall give a Copy of such his Bill to the Person or Persons disputing the same, and shall afterwards cause such Party or Person to be noticed of the Taxation of such Bill six Days at least previous to the Taxing thereof; and if in case such disputed Bill of Costs be found just and fair upon Taxation, that the necessary Trouble and Charges attending the same to the Attorney shall be added and allowed him, with the Amount of such original Bill of Costs; and that in case the said Bill of Costs has been overcharged, and that the Party had just Cause to litigate the same as aforesaid, That then such litigating Party shall be allowed for his Trouble in the Dispute by the Clerk of the Rolls, and the Amount of such Allowance to be deducted in the first Instance out of the said Attorney's Bill of Costs.¹

Tho. Moore. E. Smith, { Governor in Chief and
Wadsworth Busk. Captain General.
John Quayle.

The Keys.

Tho. Radcliffe,	John Taubman,
James Oates,	George Moore,
William Cubbon,	William Murray,
Tho. Fargher,	Philip Moore,
Philip Moore,	John Frissell,
William Callow,	William Quayle,
John Cæsar,	Tho. Christian,
William Qualtrough,	Samuel Wattleworth,
Hugh Cosnahan,	William Callow,
Philip Garrett,	William Christian,
John Stevenson,	Thomas Arthur Corlett.

¹ Repealed by the Advocates Act, 1874.

St. James's, August 21st, 1777.

SIR,

Having received and laid before the King, Governor Smith's Letter of the 24th of July, transmitting several Acts of Tynwald, passed in the last Tynwald Court which met at Castle Rushen, I am now to inform you in the Governor's Absence, that the said Acts have been taken into Consideration, and are thought well calculated to promote the good Order and Prosperity of the Isle of Man, as well from their Contents as from the Manner in which they are recommended by the Governor, and from the Sanction which the Attorney General has given to them by his Signature.

I am now, therefore, to return the said Acts, and am to signify His Majesty's Approbation thereof according to the List inclosed herein.

I am,

SIR,

Your most obedient humble Servant,

SUFFOLK.

Lieut.-Governor of the Isle of Man.

At a Tynwald Court holden at St. John's Chapel the 9th day of September in the seventeenth Year of the Reign of Our Sovereign Lord George the Third by the Grace of God of Great Britain, France, and Ireland, King, Defender of the Faith, &c., and in the Year of our Lord 1777.

The beforegoing Act having received His Majesty's Royal Approbation, and Consent as hereunto annexed the same was this day published, proclaimed, and promulged upon the Tynwald Hill, according to the Ancient Form and Custom within this Isle. As Witness our Subscription.

R. Dawson, L. Gov^r.

Joh. Moore. Tho. Moore. John Quayle.

The Keyes.

John Taubman,
Willm. Murray,
Jas. Oates,
Thos. Fargher,
Hugh Cosnahan,

Wm. Cubbon,
Saml. Wattleworth,
Wm. Callow,
Philip Garrett,
Will. Qualtrough,

John Frissell, jr.
Thos. Radcliffe,
William Callow,
Wm. Quayle.

Philip Moore,
Thomas Christian,
Thos. Arthur Corlett.
Wm. Christian.

~~~~~

ISLE OF MAN.

*At a Tynwald Court holden in Castle Rushen the 4th Day of April, in the thirty-third Year of the Reign George the Third, by the Grace of God of Great Britain, France, and Ireland, King, &c., and in the Year of our Lord one thousand seven hundred and ninety-three, before his Grace John, Duke of Atholl, Governor in Chief and Captain General, &c. of this Isle, the Council, Deemsters, and Keys, the Representatives of the said Isle, in Tynwald assembled.*

An Act to explain and amend an Act of Tynwald, made in the seventeenth Year of the Reign of his present Majesty, intituled, "An Act for the better Regulation of Proceedings by Juries before a Court of Common Law."

Act of 1777  
recited.

Traverse to  
Keys, and to  
Governor.

Whereas previous to the passing of the said Act of Tynwald, the House of Keys of the said Isle had an appellate Jurisdiction in all Matters triable by Jury in the said Court of Common Law. And whereas, in order to shorten the ancient Mode of Proceeding in the said Court, It is enacted, in and by the said Act, that if any Person or Persons, shall apprehend himself, herself, or themselves, aggrieved by the Verdict of any Jury, made or returned in the said Court, such Person or Persons shall be at Liberty to Traverse the same to the House of Keys, in all Cases where the Title of Land or its Appurtenances come in Question, and, by Appeal to the Governor or Lieutenant Governor, in all other Cases whatsoever. And whereas the said new Mode of Appeal to the Governor or Lieutenant Governor, in the Cases aforesaid, hath, by Experience, been found inadequate to the End thereby proposed. For Remedy whereof, We, your Majesty's most dutiful and loyal Subjects, the Governor, Council, Deemsters, and Keys of the said Isle, do most humbly beseech your Majesty, that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Con-

sent of the said Governor, Council, Deemsters, and Keys, in Tynwald assembled, and by the Authority of the same,

1. That the said Act, so far as the same directs an Appeal to the Governor or Lieutenant Governor, in the Cases aforesaid, be, and the same is hereby repealed. And that the appellate Jurisdiction of the said House of Keys, be, and the same is hereby restored, in as full and ample a Manner as if the said Act had never been made.—

Appeal to Governor repealed.  
Jurisdiction of Keys restored.

2. And be it further enacted, That from and after the Promulgation of this Act, when and so often as any Person or Persons shall conceive himself, herself, or themselves aggrieved by the Verdict of any Jury, made or returned in any Cause in the said Court of Common Law, it shall and may be lawful to and for such Person or Persons to enter or bring a Traverse or Appeal, from such Verdict, to the House of Keys, upon entering into Bond in the Rolls Office, in Manner heretofore accustomed, to prosecute such Traverses or Appeal, with Effect, before the House of Keys : Provided always, that no Traverse or Appeal shall be admitted, or received, from any such Verdict, unless Bond shall be entered into as aforesaid, within the Space of twenty-one Days from the Time of recording the Verdict so to be traversed or appealed from, to the said House of Keys, as herein beforementioned ; any Thing in the said Act contained to the contrary hereof in anywise notwithstanding.<sup>1</sup>

Traverse or Appeal to Keys.  
Bond for Prosecution to be given in 21 Days after Verdict.

3. And whereas, in and by the said Act, after reciting that the Proceedings of the Great Enquest in Matters heretofore cognizable before them, were dilatory and vexatious, it is, amongst other Things enacted, that the said Great Enquest, and all Proceedings before them, should thenceforward cease, and that all Matters theretofore cognizable before them should be tried and determined at Common Law. And whereas, it was thereby meant and intended, only to restrain and exclude the said Great Enquest from trying and determining the Right and Title of Ways, Waters, Water-Courses, and Boundaries between Party and Party. And whereas, many Inconveniences have arisen from the total Suppression of the said Great Enquest, for Remedy whereof, be it enacted by the Authority aforesaid, That the Coroner for each and every Sheading within this Isle, shall duly Summon, or cause to be summoned, the Number formerly accustomed<sup>2</sup> of good and lawful Men, of and belonging to the several and respective Parishes within his Sheading, without Distinction or Difference between the Landholders of Lord's Land, Abbey Land, Bishop's Land, or Baron Land, within the same, to appear at the Common Law Court, which shall be holden for the next Term, after the Promulgation of this Act, in order to be sworn of the Great Enquest, in Court, by a Deemster, in the usual Manner : and that each and every Great Enquest so sworn, shall serve until Michaelmas Term then next ensuing ;

Great Enquest revived.

<sup>1</sup> Repealed by Act of 1847.

<sup>2</sup> Number altered as to Garff Sheading by Statute of 1796.

Great En-  
quest to  
be sworn  
annually.

Duty of  
Great En-  
quest.

Boundaries.

Verdict of  
Great En-  
quest tra-  
versed to  
Keys.

Vacancies in  
Great En-  
quest, how  
filled up.

4. And that the several and respective Coroners of this Isle for the Time being, shall annually afterwards Summon, or cause to be summoned, the like Number of good and lawful Men, of and belonging to each Parish within their respective Sheadings as aforesaid, to appear, and be in like Manner sworn of the Great Enquest, at Michaelmas Term, in each and every Year; and that the several Great Enquests so sworn as aforesaid, shall within and throughout their several and respective Sheadings, without Distinction or Difference between Lord's, Abbey, Bishop's, or Baron Land, upon their Oaths, present all Encroachments and Nuisances, and have all Powers, and do, perform, exercise, and execute all Matters and Things which formerly appertained, or of Right belonged to the Cognizance of a Great Enquest, or Great Enquests, according to the Laws and Customs of the said Isle, in as full and ample a Manner as if the said in part recited Act had never been made; save and except in trying and determining the Right or Title of Boundaries not adjoining the Commons or Wastes, and of Ways, Waters, Water-Courses, and Boundaries between Party and Party, as herein beforementioned:

5. Provided always, that in the trying and determining the Right or Title of Boundaries adjoining the Commons or Wastes, the Testimony of the Witness or Witnesses to be produced, shall be taken in the Presence and under the Direction of a Deemster; and the Evidence of such Witness or Witnesses so to be taken, shall be committed to Writing, at the Expence of the Party producing the same, and the Matter in Issue shall be forthwith determined before the breaking up of the Court, unless the Deemster shall find it necessary to direct it otherwise.

6. Provided also, That any Person or Persons finding himself, herself, or themselves aggrieved by any Verdict, Presentment, or Proceeding of any Great Enquest, shall be at Liberty to Traverse the same to the House of Keys in the first Instance, (instead of to a Long Jury), entering into Bond in the Manner and within the Time herein beforementioned.

7. And it is hereby declared, that it shall and may be lawful to and for a Deemster, either in or out of Court, as Occasion may require, to Cause to be summoned, and to swear any Person to serve in the Great Enquest, in Case of the Death or Indisposition of any Member thereof, or upon other sufficient Cause made known to and approved of by such Deemster, in Manner formerly accustomed in such and the like Cases.

|               |                        |
|---------------|------------------------|
|               | Atholl.                |
| Thomas Moore. | Wadsworth Busk.        |
| John Lace.    | John Quayle.           |
|               | Robert Heywood.        |
|               | Clauds. Sodor and Man. |

## The Keys.

|                        |                    |
|------------------------|--------------------|
| John Taubman,          | William Callow,    |
| John Frissell Crellin, | Daniel Tellett,    |
| Philip Moore,          | John Taubman, jun. |
| Thomas Kirwan,         | James Brew,        |
| John Curphey,          | John Harrison,     |
| John Cosnahan,         | Thomas Gawne,      |
| Samuel Wattleworth,    | William Cubbon,    |
| John Corlett,          | William Christian, |
| Richard Symons,        | George Quayle,     |
| John Stevenson,        | Thomas Allen.      |

*Whitehall, 22d June, 1793.*

SIR,

Having laid before the King an Act of Tynwald, transmitted to me, passed in the Isle of Man in the present Year, intituled "An Act to explain and amend an Act of Tynwald made in the seventeenth Year of his present Majesty," intituled "An Act for the better Regulation of Proceedings by Juries before a Court of Common Law," I am to inform you in the Absence of his Grace the Duke of Atholl, Governor of the said Island, that the said Act has been taken into Consideration, and is Thought well calculated to promote the Interest of the Island, as well from the Manner in which it is recommended by the Duke of Atholl, as from the Sanction of the Opinion given to it by his Majesty's Attorney and Solicitor General. I am therefore to return the said Act to you, and am to signify to you his Majesty's Approbation thereof.

I am, SIR,

Your most obedient humble Servant,

HENRY DUNDAS.

*Lieutenant Governor of the Isle of Man.*

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*At a Tynwald Court holden at St. John's Chapel, the
22d Day of July, 1793.*

The beforegoing Act of Tynwald having received his Majesty's Royal Assent, as signified by the Right Hon. the Secretary of State for the Home Department, in a Letter directed to the Hon. Alexander Shaw, Lieutenant Governor of this Isle, bearing Date the 22d Day of June, 1793, and hereunto annexed, the same was promulged on the Tynwald Hill this Day ; as witness our Hands,

		Atholl.
Thos. Moore.	Ev. Christian.	Alexander Shaw.
John Lace.	William Clucas.	Robert Heywood.
		John Quayle.
		Claudius, Sodor and Man.

The Keys.

John Taubman,	William Callow,
William Cubbon,	Samuel Wattleworth,
George Quayle,	Thomas Gawne,
John Taubman, jun.	John Stevenson,
John F. Crellin,	James Brew, jun.
John Curphey,	Thomas Kirwan,
Richard Symons,	William Christian,
John Harrison,	Daniel Tellett,
John Corlett,	Thomas Allen.

INSULA MONÆ.

At a Tynwald Court holden at Castle Rushen, the 26th Day of July, in the thirty-fourth Year of the Reign of our Sovereign Lord George the Third, by the Grace of God of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord one thousand seven hundred and ninety-four, before the Hon. Alexander Shaw, Esquire, Lieutenant Governor, the Council, Deemsters, and Keys of the said Isle.

An Act for the better Regulation of the Herring Fishery upon the Coasts of the said Isle.¹

Act of 1794,
for regulat-
ing Herring
Fishery.

Whereas the Herring Fishery on the Coast of the said Isle is an Object of great Importance, and requires to be regulated in the best Manner that Circumstances will admit.

And whereas great Loss and Damage have arisen frequently from the Boats employed in the said Fishery, and Fishing on the same Ground, casting or shooting their Nets from different Sides of the Boats and on different Tacks, endangering thereby the Trains of Nets, and even Boats running foul of one another, often to the Loss of the said Trains and Boats, and sometimes the Lives of the Fishermen.

¹ Expired.

And whereas to prevent as much as possible such Evils in Time to come, it is necessary and expedient that one uniform Mode of Shooting Nets do prevail throughout the whole Fleet employed in the said Fishery.

And whereas Petitions from the Fishermen of the South Side and North Side of the said Isle, were presented to this Court on the 5th and on the 9th Days of this Instant, July, praying amongst other Things, that in Order to ascertain the best Mode of Shooting the Nets, the Votes and Opinions of the Masters of Boats belonging to the said Isle should be had and taken.

And whereas this Court taking the Subject into their Consideration, did, in order to Remedy the Evils aforesaid, by an Ordinance bearing Date the 9th Day of this Instant, order and direct that the several Coroners within the said Isle, should, within their respective Sheadings, Summon the several Masters of such Boats as paid the Herring Custom last Year, to meet at the several Towns, Ports, or Creeks, to which the said Boats respectively belonged, to give their Opinions and Votes, whether it be most proper to shoot the Nets at the Herring Fishery from the Starboard or Larboard Side of the Boat.

And whereas it appears by the Returns made by the said Coroners, that a great Majority of the Masters of Boats are of Opinion and have voted that it is most convenient and advantageous to Shoot Nets from the Starboard Side of the Boat.

1. We, your Majesty's most dutiful and loyal Subjects, the said Lieutenant Governor, Council, Deemsters, and Keys, of the said Isle, do most humbly beseech your Majesty, That it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Governor, Council, Deemsters, and Keys of the said Isle, in Tynwald assembled, and by the Authority of the same, That from and after the Promulgation hereof, all and every the Masters of all Boats and Vessels, Fishing on the Coasts of this Island, shall in future shoot or cause their Nets to be shot from the Starboard Side of the Boat, and in Case any Master or other Person having the Command or Charge of any Boat or Vessel employed in the said Fishery, shall suffer the Nets belonging to the said Boat or Vessel to be shot from the Larboard Side thereof, and be thereof lawfully convicted by the Oath of one or more credible Witness or Witnesses, upon the Complaint of any Master or other Person having the Command or Charge of a Boat or Vessel who may have suffered Injury, Damage, or Inconvenience therefrom, such Master or other Person as aforesaid so offending, shall suffer a Fine not exceeding five Pounds, and be subject to be imprisoned until he enters into Bonds, with sufficient Sureties, in the penal Sum of fifty Pounds, for his future good Behaviour, and Compliance with this Act, and shall also be liable to make good such Damages as may be occasioned to any Person or Persons whatever by his Non-compliance with the Terms and true Intent and Meaning of this Act; any Law, Custom, Practice, or Usage to the contrary hereof in anywise notwithstanding.

2. And be it further enacted by the Authority aforesaid, That this Act, and every Clause, Matter, and Thing therein contained, do continue and remain in Force for the Term and Space of seven Years from the Promulgation hereof, and from thence to the twelfth Day of November then next following.

John Lace.

Evan Christian.

Alexander Shaw.
Robert Heywood.
James Kelly.

The Keys.

John Cosnahan,
Richard Symons,
John Stevenson,
Thomas Kirwan,
Thomas Gawne,
William Christian,
John Corlet,
George Quayle,John Taubman, jun.,
William Cubbon,
Samuel Wattleworth,
John Frissel Crellin,
John Harrison,
James Brew, jun.,
Thomas Allen,
Daniel Tellest.

SIR,

Whitehall, 7th August, 1794.

Having laid before the King an Act passed at a Tynwald Court holden at Castle Rushen, in the Isle of Man, on the 26th, and transmitted to me in your Letter of the 28th ult., entitled "An Act for the better Regulation of the Herring Fishery upon the Coast of the said Isle," I am to inform you, in the Absence of his Grace the Duke of Atholl, Governor of the Isle of Man, that the said Act has been taken into Consideration, and is Thought well calculated to promote the Interest of the Island, as well from

its Contents as from the Sanction given to it by his Majesty's Attorney and Solicitor General. I am therefore to return the said Act to you, and am to signify to you His Majesty's Approbation thereof

I am, SIR,

Your most obedient humble Servant,

PORTLAND.

Lieutenant Governor of the Isle of Man.

At a Tynwald Court, holden at St. John's Chapel, the 21st Day of August, 1794.

The before written Act of Tynwald having received His Majesty's Royal Assent, as signified by his Grace the Duke of Portland, Secretary of State for the Home Department, in a Letter directed to the Honourable Alexander Shaw, Lieutenant Governor of this Island, bearing Date the 7th Day of August Instant, and hereunto annexed; the same was this Day promulged on the Tynwald Hill, according to the ancient Form and Custom of this Isle; as Witness our Subscriptions:

John Lace.

Evan Christian.

Alexander Shaw.
Robert Heywood.
James Kelly.
Mark H. Quayle.
Claudius, Sodor and Man.

The Keys.

John Cosnahan,
John Stevenson,
Thomas Gawne,
Thomas Kirwan,
Samuel Wattleworth,
John Harrison,
William Qualtrough,
George Quayle,
Philip Moore,

William Christian,
William Cubbon,
John F. Crellin,
Daniel Tellett,
Thomas Allen,
Richard Symons,
James Brew, jun.
John Taubman, jun.
John Corlet.

ISLE OF MAN, to wit.

At a Tynwald Court holden at Castle Rushen, in the said Isle, the 25th Day of June, in the thirty-sixth Year of the Reign of our Sovereign Lord George the Third, by the Grace of God of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord one thousand seven hundred and ninety-six, before the Most Noble John, Duke of Atholl, Governor in Chief, the Council, Deemsters, and Keys, of the said Isle.

An Act for the better Security of His Majesty's Person and Government.¹

Preservation
of the King's
Person.

Circulation
of Seditious
Pamphlet,
punishable
by Fine and
Imprison-
ment.

Whereas the well being of this Island depends upon the Preservation of the Constitution and Government of Great Britain; and it is the Duty of his Majesty's Subjects within this Island to contribute to the Preservation of his Majesty's Person and Government: We, your Majesty's most dutiful and loyal Subjects, the Governor, Council, Deemsters, and Keys of the said Island, in Tynwald assembled, do beseech your Majesty that it may be enacted, and be it enacted, by the King's Most Excellent Majesty, by and with the Consent of the Governor, Council, Deemsters, and Keys of the said Isle, in Tynwald assembled, That if any Person shall at any Time after the Promulgation of this Act, maliciously and designedly do any Act, or circulate any written or printed Paper or Pamphlet, or use any Expression by Word or Writing, tending to bring into Hatred or Contempt the Person or Government of our most gracious Sovereign, and be thereof lawfully convicted by the Verdict of a Jury as hereinafter mentioned, such Offender shall be subject to a Fine, not exceeding one hundred Pounds, lawful Money of Great Britain, and to Imprisonment, not exceeding six Months; and that all Prose-

¹ Repealed by Criminal Code, 1872.

cutions in Pursuance of this Act shall be brought and carried on by the Attorney General for the Time being, in the Name of our Sovereign Lord the King, his Heirs or Successors, and shall be tried in the Presence and under the Direction of a Deemster, by a Jury of six lawful Men of the Sheading where the Offender resided at the Time of committing the Offence, or of such other Sheading as may be ordered, on good Cause shewn, which Jury shall be impannelled by a Warrant from a Deemster, and shall consist of an equal Number of Men from and out of each Parish within the Sheading; and that it shall be lawful for a Deemster, upon Complaint and Affidavit made to the Truth thereof, to issue his Warrant for the apprehending and imprisoning the said Offender, until such Offender shall give Bond in a Sum not exceeding one hundred Pounds, lawful Money aforesaid, with Condition to appear and stand Trial for the said Offence, when lawfully thereunto required.

Attorney
General to
prosecute.

Offender
held to Bail.

And be it further enacted, by the Authority aforesaid, That all Prosecutions for Offences under this Act shall be commenced and effectually prosecuted within one Year from the committing thereof, and at no Time afterwards.

Prosecution
to be com-
menced
within one
Year.

John Lace. }
J. F. Crellin. } Deemsters.

Evan Christian.
William Clucas.

Atholl.
Clauds. Sodor and Man.
Robert Heywood.
Mark H. Quayle.
Thomas Stowell.

The Keys.

John Taubman, Speaker,
Samuel Wattleworth,
John Cosnahan,
John Stevenson,
William Christian,
William Quillin,
Thomas Christian,
James Brew, jun.
William Cubbon,
Thomas Allen,

William Callow,
Thomas Kirwan,
Richard Symons,
Philip Moore,
Thomas Gawne,
Daniel Tellett,
George Quayle,
John Corlet,
John Harrison,
Norris Moore.

Whitehall, 1st July, 1796.

MY LORD,

Having laid before the King an Act passed at a Tynwald Court, holden at Castle Rushen, in the Isle of Man, on the 25th of June, and transmitted to me in your Grace's Letter of the same Date, intituled "An Act for the better Security of His Majesty's Person and Government," I am to inform your Grace that the said Act has been taken into Consideration, and it is thought well calculated to promote the Interests of the Island, as well from its Contents as from the Sanction given to it by His Majesty's Attorney and Solicitor General. I am therefore to return the said Act to your Grace, and am to signify to you His Majesty's Approbation thereof.

I have the Honour to be, MY LORD,

Your Grace's most obedient humble Servant,

PORTLAND.

His Grace the Duke of Atholl, &c. &c. &c.

At a Tynwald Court holden at St. John's Chapel the 13th day of July 1796.

The before written act of Tynwald having received His Majesty's consent as signified by His Grace the Duke of Portland, Secretary of State for the Home Department, in a letter directed to His Grace the Duke of Atholl, Governor in Chief of this Island, bearing date the 1st day of July Instant and hereunto annexed. The same was this Day published and promulged on the Tynwald Hill according to the ancient Form and Custom of this Isle. As Witness our Subscriptions.

John Lace.

Atholl.
Claud. Sodor & Mann.
Robt. Heywood.
Mark H. Quayle.
Tho. Stowell.
Ev. Christian.
Wm. Clucas.

The Keys.

John Taubman, Speaker,
Wm. Callow,

Wm. Cubbon,
John Cosnahan,

Saml. Wattleworth,
Thos. Kirwin,
Richard Symons,
Norris Moore,
Jas. Brew, jr.,
Danl. Tellet,
Wm. Qnillin,
Tho. Gawne,

John Harrison,
Wm. Christian,
Thos. Allen,
John Stevenson,
George Quayle,
John Corlet,
James Quirk.

~~~~~  
ISLE OF MAN, to wit.

*At a Tynwald Court holden at Castle Rushen in the said Isle, the 1st Day of July, in the thirty-sixth Year of the Reign of our Sovereign Lord George the Third, by the Grace of God of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord one thousand seven hundred and ninety-six, the Moste Noble John, Duke of Atholl, Governor in Chief, the Council, Deemsters, and Keys of the said Isle.*

An Act for the better Regulation of the Herring Fishery.

Whereas the Practice of tarring Nets employed in the Herring Fishery upon the Coasts of the said Island, is found to be very prejudicial to the said Fishery. We, your Majesty's most dutiful and loyal Subjects, the Governor, Council, Deemsters, and Keys of the said Island, in Tynwald assembled, do beseech your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the Consent of the Governor, Council, Deemsters, and Keys of the said Isle, in Tynwald assembled,

Tarred Nets  
not to be  
used.

Penalty,  
 $\frac{1}{2}$  to High-  
way Fund—  
 $\frac{1}{2}$  to In-  
former.

Sec VI. of  
Act of 1737  
repealed.

1. That from and after the first Day of January next ensuing the Promulgation of this Act, if any Master of a Boat or Vessel, employed in the Herring Fishery upon the Coasts of the said Island, shall make Use of any tarred Net or Nets in the said Fishery, or permit the same to be made use of by any of the Hands, People, or Crew, belonging to such Boat or Vessel, such Master shall for every such Offence be subject to a Fine not exceeding ten Pounds, and to be imprisoned until the said Fine be discharged, unless the said Master can make it to appear that such Net or Nets had been so tarred, previous to the Promulgation of this Act, and not afterwards. And that the said Fine shall be recoverable in the Court of Admiralty, and payable, one-half into the Hands of the Clerk of the Rolls, to be added to the Highway Fund, and the other half to the Informer.<sup>1</sup>

2. And be it enacted by the Authority aforesaid, That the sixth Clause of an Act of Tynwald, promulgated in the Year of our Lord one thousand seven hundred and thirty-seven, whereby the Exportation of Herrings from this Island is put under certain Restrictions, be repealed, and the same is hereby repealed accordingly.

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<sup>1</sup> Repealed by Act of 1818.

cutions in Pursuance of this Act shall be brought and carried on by the Attorney General for the Time being, in the Name of our Sovereign Lord the King, his Heirs or Successors, and shall be tried in the Presence and under the Direction of a Deemster, by a Jury of six lawful Men of the Sheading where the Offender resided at the Time of committing the Offence, or of such other Sheading as may be ordered, on good Cause shewn, which Jury shall be impannelled by a Warrant from a Deemster, and shall consist of an equal Number of Men from and out of each Parish within the Sheading; and that it shall be lawful for a Deemster, upon Complaint and Affidavit made to the Truth thereof, to issue his Warrant for the apprehending and imprisoning the said Offender, until such Offender shall give Bond in a Sum not exceeding one hundred Pounds, lawful Money aforesaid, with Condition to appear and stand Trial for the said Offence, when lawfully thereunto required.

Attorney  
General to  
prosecute.

Offender  
held to Bail.

And be it further enacted, by the Authority aforesaid, That all Prosecutions for Offences under this Act shall be commenced and effectually prosecuted within one Year from the committing thereof, and at no Time afterwards.

Prosecution  
to be com-  
menced  
within one  
Year.

John Lace. }  
J. F. Crellin. } Deemsters.

Evan Christian.  
William Clucas.

Atholl.  
Clauds. Sodor and Man.  
Robert Heywood.  
Mark H. Quayle.  
Thomas Stowell.

#### The Keys.

John Taubman, Speaker,  
Samuel Wattleworth,  
John Cosnahan,  
John Stevenson,  
William Christian,  
William Quillin,  
Thomas Christian,  
James Brew, jun.  
William Cubbon,  
Thomas Allen,

William Callow,  
Thomas Kirwan,  
Richard Symons,  
Philip Moore,  
Thomas Gawne,  
Daniel Tellett,  
George Quayle,  
John Corlet,  
John Harrison,  
Norris Moore.

*Whitehall, 1st July, 1796.*

MY LORD,

Having laid before the King an Act passed at a Tynwald Court, holden at Castle Rushen, in the Isle of Man, on the 25th of June, and transmitted to me in your Grace's Letter of the same Date, intituled "An Act for the better Security of His Majesty's Person and Government," I am to inform your Grace that the said Act has been taken into Consideration, and it is thought well calculated to promote the Interests of the Island, as well from its Contents as from the Sanction given to it by His Majesty's Attorney and Solicitor General. I am therefore to return the said Act to your Grace, and am to signify to you His Majesty's Approbation thereof.

I have the Honour to be, MY LORD,

Your Grace's most obedient humble Servant,

PORTLAND.

*His Grace the Duke of Atholl, &c. &c. &c.*

*At a Tynwald Court holden at St. John's Chapel the 13th day of July 1796.*

The before written act of Tynwald having received His Majesty's consent as signified by His Grace the Duke of Portland, Secretary of State for the Home Department, in a letter directed to His Grace the Duke of Atholl, Governor in Chief of this Island, bearing date the 1st day of July Instant and hereunto annexed. The same was this Day published and promulged on the Tynwald Hill according to the ancient Form and Custom of this Isle. As Witness our Subscriptions.

John Lace.

Atholl.  
Claud. Sodor & Mann.  
Robt. Heywood.  
Mark H. Quayle.  
Tho. Stowell.  
Ev. Christian.  
Wm. Clucas.

#### The Keys.

John Taubman, Speaker,  
Wm. Callow,

Wm. Cubbon,  
John Cosnahan,

Saml. Wattleworth,  
Thos. Kirwin,  
Richard Symons,  
Norris Moore,  
Jas. Brew, jr.,  
Danl. Tellet,  
Wm. Quillin,  
Tho. Gawne,

John Harrison,  
Wm. Christian,  
Thos. Allen,  
John Stevenson,  
George Quayle,  
John Coriet,  
James Quirk.

~~~~~  
ISLE OF MAN, to wit.

At a Tynwald Court holden at Castle Rushen in the said Isle, the 1st Day of July, in the thirty-sixth Year of the Reign of our Sovereign Lord George the Third, by the Grace of God of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord one thousand seven hundred and ninety-six, the Moste Noble John, Duke of Atholl, Governor in Chief, the Council, Deemsters, and Keys of the said Isle.

An Act for the better Regulation of the Herring Fishery.

Whereas the Practice of tarring Nets employed in the Herring Fishery upon the Coasts of the said Island, is found to be very prejudicial to the said Fishery. We, your Majesty's most dutiful and loyal Subjects, the Governor, Council, Deemsters, and Keys of the said Island, in Tynwald assembled, do beseech your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the Consent of the Governor, Council, Deemsters, and Keys of the said Isle, in Tynwald assembled,

Tarred Nets
not to be
used.

Penalty,
 $\frac{1}{2}$ to High-
way Fund—
 $\frac{1}{2}$ to In-
former.

Sec VI. of
Act of 1737
repealed.

1. That from and after the first Day of January next ensuing the Promulgation of this Act, if any Master of a Boat or Vessel, employed in the Herring Fishery upon the Coasts of the said Island, shall make Use of any tarred Net or Nets in the said Fishery, or permit the same to be made use of by any of the Hands, People, or Crew, belonging to such Boat or Vessel, such Master shall for every such Offence be subject to a Fine not exceeding ten Pounds, and to be imprisoned until the said Fine be discharged, unless the said Master can make it to appear that such Net or Nets had been so tarred, previous to the Promulgation of this Act, and not afterwards. And that the said Fine shall be recoverable in the Court of Admiralty, and payable, one-half into the Hands of the Clerk of the Rolls, to be added to the Highway Fund, and the other half to the Informer.¹

2. And be it enacted by the Authority aforesaid, That the sixth Clause of an Act of Tynwald, promulgated in the Year of our Lord one thousand seven hundred and thirty-seven, whereby the Exportation of Herrings from this Island is put under certain Restrictions, be repealed, and the same is hereby repealed accordingly.

¹ Repealed by Act of 1818.

3. Provided always, that it shall be in the Power of the Governor, Council, Deemsters, and Keys in Tynwald assembled, to lay such Restrictions upon the Exportation of Herrings from the Coasts of the said Isle in Times of Scarcity, as the Exigencies of such Times may require. Embargo in Time of Scarcity.

John Lacé.	} Deemsters.	Atholl.
J. F. Crellin.		Clauds. Sodor and Man.
		Mark H. Quayle.
		Thomas Stowell.
		Evan Christian.
		William Clucas.

The Keys.

John Taubman, Speaker,	John Harrison,
Norris Moore,	Daniel Tellett,
Thomas Kirwan,	John Corlet,
Samuel Wattleworth,	James Quirk,
Philip Moore,	Thomas Allen,
John Cosnahan,	James Brew, jun.
Richard Symons,	George Quayle,
Thomas Christian,	William Cubbon,
William Christian,	William Callow,
John Stevenson,	William Quillin.
Thomas Gawne,	

ISLE OF MAN, to wit.

At a Tynwald Court holden at Castle Rushen, the 8th Day of July, in the thirty-sixth Year of the Reign of our Sovereign Lord George the Third, by the Grace of God of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord one thousand seven hundred and ninety-six, before the Most Noble John, Duke of Atholl, Governor in Chief, the Council, Deemsters, and Keys of the said Isle.

An Act for the better Regulation of the Court of Common Law.

Whereas the present Mode of holding the Court of Common Law for the whole Island, at one particular Time and Place, hath been found to be very inconvenient to the Public. And it is thought expedient that the Island should be divided into two Districts for the Purpose of holding a Court of Common Law within each District; and in order Island divided into Districts, &c.

The final paragraph of Secs 1 & 2 of this act. repealed by the 1874 Act.
Sec: 3

to make such Division the more commodious and effectual for the Purpose thereof, it is also thought expedient that the present Division of the Parishes of the said Island into Sheadings should in Part be altered.

We, your Majesty's most dutiful and loyal Subjects, the Governor, Council, Deemsters, and Keys of the said Island in Tynwald assembled, do beseech your Majesty, that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the Consent of the Governor, Council, Deemsters, and Keys of the said Isle, in Tynwald assembled,

Glanfaba
Sheading.

1. That from and after the Promulgation of this Act, the Parishes of *Patrick*, *German*, and *Marown*, shall be, and they are hereby constituted, the Sheading of GLANFABA, and shall be so reputed, deemed, and taken to all Intents and Purposes whatsoever. ~~And that the Great Enquest of the said Sheading shall consist of an equal Number of Men from and out of each Parish within the said Sheading.~~

Garff Shead-
ing.

2. And that from and after the Promulgation of this Act, the Parishes of *Maughold* and *Lonan* shall be, and the same are hereby constituted the GARFF Sheading, and shall be so reputed, deemed, and taken to all Intents and Purposes whatsoever. ~~And that the Great Enquest of the said Sheading shall consist of six Men from and out of each Parish within the said Sheading.~~

Middle
Sheading.

3. And that from and after the Promulgation of this Act, the Parishes of *Conchan*, *Braddan*, and *Santan*, shall be, and the same are hereby constituted, the MIDDLE Sheading, and shall be so reputed, deemed, and taken to all Intents and Purposes whatsoever.

Southern
District.

4. And be it further enacted, by the Authority aforesaid, that from and after the Promulgation of this Act, the said Sheadings of GLANFABA, MIDDLE, and RUSHEN shall be, and the same are hereby constituted, the SOUTHERN DISTRICT of the said Isle. And the Sheadings of *Michael*, *Ayre*, and *Garff*, the NORTHERN DISTRICT of the said Isle.

Northern
District.

Common
Law Court
for Southern
District.

5. And that a Court of Common Law shall be holden for the said Southern District, at CASTLE RUSHEN, or such other proper Place within the said District as may be appointed by the Court, and at the Terms and Times already prescribed by Law for the Hearing and Determining of Causes arising in, or properly belonging to the said Southern District; and that Jurors of and belonging to such District and ballotted for according Law, shall be competent to try Causes arising within or properly belong-

Jurors to be
ballotted for.

ing to the said Southern District. And that the Great Enquests of the Sheadings within the said Southern District, shall be sworn at the Court of Common Law to be holden for the said District, and shall be obliged to attend the Court of Common Law for that District only.

6. And that a Court of Common Law shall be holden for the Northern District of the said Isle at RAMSEY, or such other proper Place within the said District as may be appointed by the Court on the Monday next following such Terms or Times aforesaid, for the Hearing and Determining of Causes arising within or properly belonging to the said Northern District; and that Jurors of and belonging to the said Northern District, and ballotted for according to Law, shall be competent to try Causes arising within or properly belonging to the said District. And that the Great Enquests of the Sheadings within the said Northern District shall be sworn at the Court of Common Law to be holden for the said District, and shall be obliged to attend the Common Law Court for that District only.

7. Provided, nevertheless, that the Alteration of the Sheadings as herein before mentioned, shall not extend, or be construed to extend, to alter, or affect any particular local Law, Custom, or Usage, which has heretofore prevailed, within any ancient Divisions or Districts of the said Isle.—And, provided also, that it shall be lawful for the said Court to appoint a Special Jury for the Trial of any Special Cause as Occasion may require.

John Lace. }
J. F. Crellin. } Deemsters.

Atholl.
Clauds. Sodor and Man.
Mark H. Quayle.
Thomas Stowell.
Evan Christian.
William Clucas.

The Keys.

John Taubman, Speaker,	Thomas Christian,
John Cosnahan,	Daniel Tellett,
Samuel Wattleworth,	Thomas Allen,
John Stevenson,	John Harrison,
William Callow,	George Quayle,
Thomas Kirwan,	William Quillin,
John Corlett,	Richard Symons,
James Brew, jun.	James Quirk,
William Cubbon,	William Christian.

Whitehall, 15th July, 1796.

MY LORD,

I have had the honour of receiving your Grace's Letter of the 8th Inst. transmitting me three different Acts passed by the Legislature of the Isle of Man, intituled, "An Act for the better Regulation of the Herring Fishery," "An Act for the better Regulation of the Courts of Common Law," and "An Act for the Punishment of Forgery and Perjury and Swindling Practices;" and having laid the same before the King, I am to inform your Grace, that the said Acts have been taken into Consideration: the two former, viz. "An Act for the better Regulation of the Herring Fishery," and "An Act for the better Regulation of the Courts of Common Law," are thought well calculated to promote the Interest of the Island, as well from their Contents as from the Sanction given to them by his Majesty's Attorney and Solicitor General. I am therefore to return the said Acts to your Grace, and to signify to you His Majesty's Approbation thereof; but it appearing to His Majesty's Law Officers in this Country, that the last mentioned Act for the Punishment of Forgery, Perjury, and Swindling Practices, is conceived in Terms so general that Persons acting without any criminal Intent, may be liable to criminal Prosecution, and punished by Fine, Imprisonment, and corporal Punishment, attended in some Cases with personal Disabilities, and particularly it is observed, that the unlawful disposing of the Goods of other Persons, without Authority so to do, is liable to such Punishment, without any Distinction, whether the Act is done with a criminal Intent or is a mere civil Trespass. It will therefore be necessary to give the said Act a more serious Attention, before His Majesty can be advised to give his Royal Assent thereto.

I have the Honour to be,

MY LORD,

Your Grace's most obedient humble Servant,

PORTLAND.

Duke of Atholl.

At a Tynwald Court holden at St. John's Chapel, the 12th Day of September, 1796.

The before written Acts of Tynwald, intituled "An Act for the better Regulation of the Herring Fishery," and

"An Act for the better Regulation of the Court of Common Law," having received His Majesty's Assent, as signified by his Grace the Duke of Portland, Secretary of State for the Home Department, in a Letter addressed to his Grace the Duke of Atholl, Governor in Chief of this Island, bearing Date the 15th July, 1796, and hereunto annexed. The said Acts were this Day promulgated and published upon the Tynwald Hill, according to the ancient Form and Custom within this Isle; as Witness our Subscriptions:

John Lace. }
J. F. Crellin. } Deemsters.

Alexander Shaw.
Cs, Sodor and Man.
Robert Heywood.
Mark H. Quayle.
Thomas Stowell.
Evan Christian.

The Keys.

John Taubman, Speaker,	George Quayle,
William Cubbon,	John Stevenson,
Samuel Wattleworth,	Philip Moore,
Richard Symons,	Thomas Gawne,
Thomas Kirwan,	John Harrison,
William Christian,	Thomas Christian,
James Brew, Jun ^r .,	Daniel Tellett,
William Quillin,	James Kelly,
John Cosnahan,	Thomas Allen,
John Corlet,	James Quirk.

ISLE OF MAN, to wit.

At a Tynwald Court holden at Castle Rushen, the 18th Day of July, in the thirty-seventh Year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord one thousand seven hundred and ninety-seven, before the Most Noble John, Duke of Atholl, Governor in Chief, the Council, Deemsters, and Keys of the said Isle.

An Act for the Punishment of Forgery, Perjury, Subornation of Perjury, and Cheating or Swindling.¹

Whereas the Crimes of Forgery and Perjury, and Subornation of Perjury, were by the Common Law of the said Isle, punishable with Fine, Imprisonment, and corporal Punishment. And whereas by a Statute or Act of Tynwald, promulgated the twenty-fourth Day of June, in the Year of our Lord one thousand seven hundred and thirty-seven, it is amongst other Things enacted, "That no Court, Judge, or Magistrate, within this Isle, shall have Power or Authority, for the Future, to impose or inflict any Fine or Punishment upon any Person or Persons, for, or on Account of any Criminal Cause whatsoever, until he, she, or they be first convicted by the Verdict or Presentment of four, six, or more Men, as the Case shall require, upon some Statute Law in Force in

Statute of
1737.

¹ Repealed by Criminal Code, 1817.

the said Island." And whereas there is not any Statute Law in Force in the said Island, for the Punishment of the said Crimes of Forgery, Perjury, and Subornation of Perjury :

1. We, your Majesty's most dutiful and loyal Subjects, the Governor, Council, Deemsters, and Keys of the said Island in Tynwald assembled, do beseech your Majesty that it may be enacted, and be it therefore enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Governor, Council, Deemsters, and Keys of the said Island, in Tynwald assembled, and by the Authority of the same, That if any Person, from and after the Promulgation of this Act, shall falsely make, forge, counterfeit, or alter, or cause or procure to be falsely made, forged, counterfeited, or altered, or willingly act or assist in the false making, forging, counterfeiting, or altering any Act of Tynwald, or any Decree, Judgment, or Execution, or any Record or Process of any of the Courts, or any Verdict of any Jury, or Deposition of any Witness or Witnesses, duly taken and signed by or before any Court, Magistrate, or Jury within the said Isle, or any Deed, Charter, Writing sealed, Court Roll, Will, Writing Testamentary, Bond, Writing Obligatory, Memorial of the Enrolment or Registration of any Deed or Will, Bill of Exchange, Promissory Note for the Payment of Money, Indorsement, Assignment or Acceptance of any Bill of Exchange, or Promissory Note for the Payment of Money, Acquittance or Receipt, either for Money or Goods, Release or Discharge of any Debt, Account, Action, Suit, or other Demand, the Number of any Principal Sum of any Accountable Receipt for any Note, Bill, or other Security for the Payment of Money, or any Warrant or Order for Payment of Money or Delivery of Goods, with Intention to defraud any Person or Corporation whatsoever, or shall utter or publish, as true, any false, forged, counterfeited, or altered Act of Tynwald, or any Decree, Judgment, or Execution, or any Record or Process of any of the Courts, or any Verdict of any Jury, or Deposition of any Witness or Witnesses, duly taken and signed, by or before any Court, Magistrate, or Jury, within the said Isle, or any Deed, Charter, Writing sealed, Court Roll, Will, Writing Testamentary, Bond, Writing Obligatory, Memorial of the Enrolment or Registration of any Deed or Will, Bill of Exchange, Promissory Note for the Payment of Money, Indorsement, Assignment, or Acceptance of any Bill of Exchange or Promissory Note for the Payment of Money, Acquittance, or Receipt, either for Money or Goods, Release, or Discharge of any Debt, Account, Action, Suit, or other Demand, the Number of any Principal Sum of any Accountable Receipt, for any Note, Bill, or other Security for the Payment of Money, or any Warrant or Order for Payment of Money or Delivery of Goods, with Intention to defraud any Person or Corporation whatsoever, knowing the same to be false, forged, counterfeited, or altered ; then every such Person, being thereof lawfully convicted, by open Confession in Court, or by wilfully standing Mute, or by the Verdict of a Jury, as hereinafter provided, shall be subject to such Fine, Imprisonment, and Corporal Punishment as the Court or Judge before whom he or she shall be convicted as aforesaid, shall in their Discretion award and adjudge, and shall for ever after be incapable to hold any Office or Place of a public Trust.

2. And be it further enacted, by the Authority aforesaid, That if any Person, from and after the Promulgation of this Act, shall commit any wilful and corrupt Perjury, or shall unlawfully and corruptly procure and suborn any Person to commit any wilful and corrupt Perjury in any Matter or Cause, legally depending in Suit and Variance by any Writ, Action, Bill, Libel, Complaint, Petition, Information, or Indictment, in any of the Courts within the said Isle, or before any Magistrate, Jury, Person or Persons duly authorized by the Laws of the said Isle to administer an Oath in any judicial Proceeding ; then every such Offender, being thereof lawfully convicted by open Confession in Court, or by wilfully standing Mute, or by the Verdict of a Jury as hereinafter mentioned, shall be subject to such Fine, Imprisonment, and Corporal Punishment as the Court or Judge before whom he or she shall be convicted as aforesaid, shall in their Discretion award and adjudge, and shall for ever after be incapable to hold any Office or Place of public Trust.

3. And be it further enacted, by the Authority aforesaid, That all Persons who, from and after the Promulgation of this Act, shall falsely and designedly obtain any Money, Goods, Wares, or Merchandizes from any Person or Persons, by Means of any false Token, counterfeit Letter, or by any other false Pretence or Pretences whatsoever, with Intention to cheat or defraud any Person or Persons of the same ; or shall knowingly send or deliver any Letter or Writing with or without a Name or Names subscribed thereto, or signed with a fictitious Name or Names, Letter or Letters, threatening to accuse any Person or Persons of any Crime punishable by the Laws of the said Isle, with Intent to extort or gain Money, Goods, Wares, or Merchandizes, from the Person or Persons so threatened to be accused ; then every such Offender being thereof lawfully convicted by open Confession in Court, or by wilfully standing Mute, or by the Verdict of a Jury as hereinafter provided, shall be subject to such Fine, Imprisonment, and Corporal Punishment as the Court or Judge before whom he or she shall be convicted as aforesaid, shall in their Discretion award and adjudge, and shall for ever after be rendered incapable to hold any Office or Place of public Trust.

Making,
forging, alter-
ing, or coun-
terfeiting
Decree,
Judgment,
&c.

Receipt,
Note, or Bill.

Deed, Court
Roll, Will,
&c.

Acquittance
Receipt, &c.
with Inten-
tion to De-
fraud, pun-
ishable by
Fine, Impri-
sonment, &c.

Perjury,
punishable
by Fine, Im-
prisonment,
and Corporal
punishment.

Obtaining
Money or
Goods by
false Pre-
tences.
Sending
threatening
Letter, pun-
ishable by
Fine, Impri-
sonment, &c.

4. And be it further enacted, by the Authority aforesaid, That in all Cases where any Offender or Offenders may lawfully be sentenced to be imprisoned by Virtue of any of the Provisions of this Act, it shall be also lawful for the Court or Judge before whom such Offender or Offenders shall have been convicted, to direct, order, and award such Offender or Offenders to be further imprisoned until he, she, or they give good and sufficient Security to make full Restitution to the Party or Parties injured, to be recovered in the ordinary Course of Law. Provided, nevertheless, that it shall be in the Power of the Court to order such Offender or Offenders to be discharged from such last mentioned Imprisonment, upon its appearing to the Court that the Offender or Offenders is or are not of Ability to make Restitution to the Party aggrieved; and that all Prosecutions for or on Account of the said Crimes, or any of them, shall be brought and carried on by the Attorney-General for the Time being in the Name of our Sovereign Lord the King, his Heirs or Successors, and shall be tried in the Presence and under the Directions of the Deemsters, or one of them, by a Jury of six good and lawful Men of the Sheading wherein the Offender or Offenders, or some or one of them resided at the Time of committing the Crime or Offence, or of such other Sheading as may be ordered on good Cause shewn, which Jury shall be impannelled by Warrant from a Deemster, and shall consist of an equal Number of Men from and out of each and every Parish within the Sheading.

Persons convicted may be ordered to make Restitution.

Prosecutions to be carried on by Attorney General.

5. And be it further enacted, by the Authority aforesaid, That it shall be lawful for a Deemster, on Complaint lodged, and Affidavit made to the Truth thereof, to issue his Order or Warrant for the apprehending and imprisoning any Person or Persons charged with having committed any of the Crimes or Offences aforesaid, until he, she, or they give in good and sufficient Security, at the Discretion of such Deemster, to appear and stand Trial for such Crime or Crimes, Offence or Offences, when thereunto lawfully required; and that Prosecutions under this Act shall be commenced and effectually prosecuted within one Month from the Time of apprehending and imprisoning of any Person or Persons, charged with having committed any of the Crimes or Offences aforesaid, and not afterwards, unless good Cause be shewn to the Court why the same should be postponed.—And that whenever and as often as such Offender or Offenders shall have been so apprehended and imprisoned, such Offender or Offenders shall have it in his, her, or their Power to apply for and bring on his, her, or their Trial, and shall also be intitled to and obtain such Time for the making his, her, or their Defence, as the Court on Application may think reasonable.

Deemster to issue Warrant for apprehending Offender.

Bail may be taken.

Time may be granted for Defence.

Deemsters { John Lacey. Evan Christian.
J. F. Crellin.

Atholl.
Claude, Sodor and Man.
William Frankland.
Robert Heywood.
Mark H. Quayle.

The Keys.

John Taubman, Speaker,
Samuel Wattleworth,
Philip Moore,
John Cosnahan,
John Stevenson,
Richard Symons,
James Quirk,
John Harrison,
William Callow,
George Quayle,
William Cubbon,

Norris Moore,
Thomas Gawne,
Thomas Kirwan,
James Kelly,
Thomas Christian,
Thomas Allen,
William Christian,
Daniel Tellett,
William Quillin,
John Corlet.

Whitehall, 16th August, 1797.

MY LORD,

Having laid before the King an Act of Tynwald, intituled "An Act for the Punishment of Forgery, Perjury, Subornation of Perjury, and Cheating or Swindling," transmitted to me in your Grace's Letter of the 25th of last Month; I am to inform your Grace that the said Act has been taken into Consideration, and it is Thought well calculated to promote the Interests of the Island, as well from its Contents as from the Sanction given to it by His Majesty's Attorney General. I am therefore to return the said Act to your Grace, and am to signify to you His Majesty's Approbation thereof.

I have the Honour to be,

MY LORD,

Your Grace's most obedient humble Servant,

PORTLAND.

His Grace the Duke of Atholl, &c. &c. &c.

At a Tynwald Court holden at St. John's Chapel, the 27th Day of September, 1797.

The before written Act of Tynwald having received His Majesty's Royal Consent, as signified by his Grace the Duke of Portland, Secretary of State for the Home Department, in a Letter directed to his Grace the Duke of Atholl, Governor in Chief of this Island, bearing Date the 16th Day of August last past, and hereunto annexed; the same was this Day published and promulged on the Tynwald Hill according to the ancient Form and Custom of this Isle; as Witness our Subscriptions:

John Lace.	} Deemsters.	Evan Christian.	Alexander Shaw.
J. F. Crellin.			Clauds Sodor and Man. Robert Heywood. Mark H. Quayle.

The Keys.

John Taubman, Speaker,	William Callow,
John Harrison,	Daniel Tellett,
Thomas Kirwan,	Norris Moore,
Richard Symons,	Philip Moore,
William Cubbon,	Thomas Gawne,
George Quayle,	James Kelly,
William Christian,	William Quillin,
John Corlet,	Thomas Allen,
John Cosnahan,	John Stevenson.

~~~~~  
**ISLE OF MAN.**

*At a Tynwald Court holden at Castle Rushen, in the said Isle the 6th Day of March in the fortieth Year of the Reign of our Sovereign Lord George the Third, by the Grace of God of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord one thousand eight hundred, before the Most Noble John, Duke of Atholl, Governor in Chief, the Council, Deemsters, and Keys of the said Isle.*

An Act for rendering more convenient to the Public, the Day upon which the several Terms appointed by Law, for holding the Courts of Common Law within this Island, shall begin: and also for taking down and rebuilding the Parish Church of Kirk Andreas.

Whereas the Terms appointed by Law for holding the Common Law Courts within the said Isle, severally begin upon Monday, to the great Inconvenience of many Persons who reside at a considerable Distance from the Place where the said Courts are held, as such Persons are obliged to travel upon Sunday, to the evil Example of Society; for Remedy whereof, We, your Majesty's most dutiful and

loyal Subjects, the Governor, Council, Deemsters, and Keys of the said Isle, in Tynwald assembled, do beseech your Majesty, that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the Consent of the Governor, Council, Deemsters, and Keys in Tynwald assembled,

1. That for the Future the several Terms appointed or established by Law for holding the Common Law Courts within the said Isle, shall begin upon TUESDAY next after the Monday heretofore fixed for beginning or holding each Term. And that all Precepts to be issued in Future respecting the holding of each Term, and all Processes for the summoning of Parties and Witnesses, shall be issued for Tuesday instead of the Monday aforesaid, any Statute Law to the contrary hereof in anywise notwithstanding.

Common  
Law Courts  
to be held on  
Tuesday.

2. And whereas by an Act of Vestry, holden in the said Parish Church of Kirk Andreas, the 19th Day of February last past, in Pursuance of public Notice given, to take into Consideration the State and Condition of the said Church, the Most Noble John Duke of Atholl, Patron of the Rectory of the said Parish, being present, and undertaking for the Right Honourable and Reverend Lord George Murray, present Rector of the said Parish, it appears that the said Church is in a ruinous State and Condition, and that from the Smallness and Situation thereof, is incapable of any Improvement or Addition, so as to accommodate the Parishioners with convenient Seats or Pews at the Performance of Divine Service in the said Parish Church; and that therefore it would be necessary and expedient to remove the said Church from the present Site thereof, and to build or rebuild the same, in or near the South Side of the present Church yard, including in the new Site, for necessary Aisles about the same, a Part of the Rectorial Glebe, as pointed out by his Grace the Duke of Atholl aforesaid, at the said Vestry, and the Nave of the said new Church to be of sufficient Dimensions to contain two Aisles lengthways therein, and three Rows of Pews sufficient to contain eight Persons in each Pew, which by a fair Computation, will amount to Ninety Pews in the whole, or thereabouts, in the Nave of the said Church, besides a proper and sufficient Space or Room for a Font, and also for the Reading Desk and Pulpit, which are intended to be placed nearer to the Centre of the Nave than the same are at Present. And whereas it hath been conceived by the said Curate and Wardens, that the said old Church cannot be legally taken down and the said new Church rebuilt or built instead thereof, upon the new Site aforesaid, without the Sanction of an Act of Tynwald, and they have therefore solicited the Legislature to pass an Act for that Purpose. Be it therefore enacted, by the Authority aforesaid, That it shall be lawful to and for the Rector or Curate and the Church-Wardens of the said Parish, for the Time being, with such Sidesmen as may be chosen in Vestry for that Purpose; and they are hereby required to take down, or cause to be taken down, the said old Church of Kirk Andreas aforesaid, and to build a new Church instead thereof, upon the new Site on the South Side of the Church-yard, and according to the Plan herein before mentioned, and of sufficient Dimensions for the Purposes also herein before mentioned, and to apply the Materials of the old Church so far as the same may be useful, together with such Donations or Contributions as may be made to forward the said new Work, towards carrying on and finishing the said new Church.

Kirk  
Andreas  
Church.

Site to be  
removed.

Old Church  
to be taken  
down.

3. And be it further enacted, by the Authority aforesaid, That all Costs, Charges, and Expences, over and above the said Donations or Contributions, which may be necessary for procuring new Materials, and for building and finishing the Nave of the said new Church, be paid by the Quarterland, Cottage, and Intack Holders, within the said Parish, by a fair and equal Assessment to be made, levied, and raised by the Wardens and Sidesmen, in the usual and accustomed Manner, and at such Time or Times as they shall judge necessary, and that a fair Account of the several Disbursements be kept by the said Wardens and Sidesmen, to be produced when thereunto required. And that the Expences of building the Chancel of the said new Church be borne and paid by the Rector of the said Parish for the Time being, according to the Law and Custom in such Cases.<sup>1</sup>

Costs of  
Building  
above Dona-  
tions to be  
paid by Quar-  
terlands, &c.

<sup>1</sup> Spent.

New Church  
to be Parish  
Church, &c.

4. And be it further enacted by the Authority aforesaid, That when the said new Church shall be finished, and afterwards consecrated by the Right Reverend the Lord Bishop of this Isle, that the same shall be called, deemed, reputed and taken as and for the Parish Church of Kirk Andreas aforesaid, in all Matters and Things whatsoever, as fully and to all Intents and Purposes as the said old Church was or might have been, and as such be served, supplied, resorted to, frequented, made use of, repaired kept up and amended from Time to Time, and at all Times hereafter.

No Corpse to  
be interred  
within 12  
Feet of the  
Walls of  
Church.

5. And be it further enacted by the Authority aforesaid That no Manner of Person or Persons shall presume to inter, or cause to be interred, any Corpse within the said Church, or within twelve Feet of the Walls thereof, on the outside of the same, on any Pretence whatsoever.<sup>1</sup>

Deemsters { John Lee.  
J. F. Crellin.

Atholl.  
Clands, Sodor and Man.  
Robert Heywood.  
Mark H. Quayle.  
Evan Christian.  
John Crellin.  
Thomas Stowell, Actg. Atty. Genl.

#### The Keys.

John Taubman, jun.,  
Norris Moore,  
James Kelly,  
William Quillin,  
John Harrison,  
James Quirk,  
John Stevenson,  
John Corlett,  
Thomas Christian,

John Cosmahan,  
Philip Moore,  
Thomas Gawne,  
Richard Symons,  
George Quayle,  
William Christian,  
Thomas Kirwan,  
James Brew, jun.,  
Thomas Allen.

Whitehall, 24th March, 1800.

MY LORD,

Having laid before the King an Act passed at a Tynwald Court, holden at Castle Rushen, in the Isle of Man, on the 6th Instant, and transmitted to me in your Grace's Letter of the 8th, intituled "An Act for rendering more convenient to the Public, the Day upon which the several Terms appointed by Law, for holding the Courts of Common Law within this Island, shall begin: and also for taking down and rebuilding the Parish Church of Kirk Andreas." I am to inform your Grace that the said Act has been taken into Consideration, and it is thought well calculated to promote the Interests of the Island, as well from its Contents as from the Sanction given to it by His Majesty's Attorney and Solicitor General; I am therefore to return the said Act to your Grace, and am to signify to you His Majesty's Approbation thereof.

I have the Honour to be,

MY LORD,

Your Grace's most obedient humble Servant,

PORTLAND.

His Grace the Duke of Atholl, &c. &c. &c.

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Penalty for breach of this enactment under the Burials Act 1881, sec. 9.

*At a Tynwald Court holden at St. John's Chapel the 21st Day of April, 1800.*

The before written Act of Tynwald having received His Majesty's Royal Consent, as signified by his Grace the Duke of Portland, Secretary of State for the Home Department, in a Letter directed to his Grace the Duke of Atholl, Governor in Chief of this Island, bearing Date the 24th Day of March last past, and hereunto annexed; the same was this Day published and promulged on the Tynwald Hill, according to the ancient Form and Custom of this Isle; as Witness our Subscriptions :

Deemsters { John Lace.  
J. F. Crellin.

Alexander Shaw.  
C. Sodor and Man.  
Mark H. Quayle.  
Evan Christian.  
John Crellin.  
Thomas Stowell.

The Keys.

Thoms Christian,  
Norris Moore,  
William Christian,  
James Kelly,  
Thomas Kirwan,  
Philip Moore,  
John Harrison,

George Quayle,  
James Quirk,  
Richard Symons,  
William Quillin,  
John Stevenson,  
Daniel Tallett,  
John Corlet.

~~~~~  
ISLE OF MAN, to wit.

At a Tynwald Court holden at Castle Rushen the 20th Day of February, in the fifty-Third Year of the Reign of our Sovereign Lord George the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord one thousand eight hundred and thirteen, before the Most Noble John, Duke of Atholl, Governor in Chief and Captain General, the Council, Deemsters, and Keys of the said Isle,

CHAPTER I.

An Act for taking down and rebuilding the Parish Church of Jurby.¹

Whereas by an Act of Vestry, made at a Meeting of the Parishioners of the said Parish of Jurby, holden in the said Parish Church on the 8th Day of June, 1812, in Pursuance of public Notice given, for the Purpose of taking into Consideration the State and Condition of the said Church, (the Right Reverend Claudius Lord Bishop of Sodor and Man, Patron of the said Church, being present), it appears that the said Church is in a ruinous State and Condition; and that from the Smallness and Situation thereof, the said Church is incapable of any Improvement or Addition, so as to accommodate the Parishioners with convenient room; and that therefore it is expedient that the said old Church be taken down, and a new Church built instead thereof, in or near the South Side of the present Church-yard of Jurby aforesaid.

1. We, therefore, your Majesty's most dutiful and loyal Subjects, the Governor, Council, Deemsters, and Keys of the said Isle, do humbly beseech your Majesty, that it may be enacted, and be it enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Governor, Council, Deemsters, and Keys of this Isle, in Tynwald assembled, and by the Authority of the same, That immediately after the Promulgation of this Act, it shall and may be lawful to and for the Vicar and Church Wardens of the said Parish of Jurby, for the Time being, with such Sidesmen as may be chosen in Vestry; and they are hereby required to proceed and take down, or cause to be taken down, the said old Church of Jurby, and to build, or cause to be built, a new Church instead thereof, upon the said new Site, on the South Side of the said Church-yard. The said new Church to contain one Isle, and one Row of Pews on each Side thereof, each Pew sufficient to accommodate eight Persons, and not to exceed thirty-six Pews in the whole Body of the Church. And to apply the Materials of the

Act of Vestry
of 12th June,
1812,

Jurby
Church to be
taken down.
New Church
to be built,
and to con-
tain 36 Pews.

¹ Spent except sects. 3 and 4.

Money necessary for Building to be paid by Proprietors of Quarterlands, &c.

said old Church in the building of the Nave or Body of the said new Church, so far as the same may be considered useful and proper, with such Donations and Contributions as may be made and collected for the Purpose of building the said new Church.

2. And be it further enacted by the Authority aforesaid, That all such Sum and Sums of Money as may be necessary over and above the Donations, Contributions, and Materials aforesaid, for building and finishing the Nave or Body of the said Church, shall be paid by the several Proprietors of Quarterlands, Intacks, Cottages, and Mills, within the said Parish, by a fair and equal Assessment, to be made and levied and raised by the Wardens and Sidesmen aforesaid, or a Majority of them, in the usual and accustomed Manner, and at such Time or Times as they shall find requisite and judge proper. And that a fair Account of the Disbursements in the said Work be kept by the said Wardens and Sidesmen, to be produced by them when thereunto required. And that the Expence of building, finishing, and completing the Chancel of the said Church, shall be borne and paid by the Right Rev. the Lord Bishop of Sodor and Man for the Time being, as Patron of the said Church, according to the Law and Custom in such Cases.

New Church to be Parish Church of Jurby.

3. And be it further enacted by the Authority aforesaid, That when the said new Church shall be finished, and afterwards consecrated by the Right Reverend the Lord Bishop of this Isle, the same shall be called, deemed, reputed, and taken as and for the Parish Church of Jurby aforesaid, in all Matters and Things whatsoever, as fully, and to all Intents and Purposes, as the said old Church was or might have been; and as such be served, supplied, resorted to, frequented, made use of, repaired, kept up and amended, from Time to Time, and at all Times hereafter.

No Corpse to be interred within 12 Feet of Wall of Church.

4. And be it further enacted by the Authority aforesaid, That no Manner of Person or Persons shall presume to inter, or cause to be interred, any Corpse within the said Church, or within twelve Feet of the Walls thereof, on the Outside of the same, on any Pretence whatsoever.¹

CHAPTER II.

An Act to fix and regulate the Fees of certain Public Offices, and Officers therein mentioned.²

Former Fees uncertain, to be regulated by present Act.

Whereas the Fees of and for the Public Offices and Officers hereinafter mentioned, are in many Instances unascertained and uncertain, and it is Thought expedient that the same should be regulated and fixed, We, therefore, your Majesty's most dutiful and loyal Subjects, the Governor, Council, Deemsters, and Keys of the said Isle, in Tynwald assembled, do humbly beseech your Majesty, that it may be enacted, and be it enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Governor, Council, Deemsters, and Keys of the said Isle, and by the Authority of the same, That from and after the Promulgation of this Act, the several and respective Tables of Fees hereinafter mentioned and set down, shall be, and they are hereby declared to be, the lawful, fixed, and established Fees of and for the Public Offices and Officers therein mentioned, for and in respect of the Business, Matters, and Things in the said respective Tables set forth, and in lieu and in full of all Fees heretofore paid or payable for and in respect to such Business, Matters, and Things, severally and respectively; any Law, Custome, or Usage to the contrary hereof in anywise notwithstanding.

¹ Penalty for breach of this enactment under the Burials Act 1881, sec. 9.

² Repealed by the Official Fees Act, 1874.

A TABLE OF FEES FOR THE GOVERNOR OR LIEUTENANT-GOVERNOR.

	£.	s.	d.	
For Process on an Action or Information - - - - -	0	1	2	Governor
Order on a Petition - - - - -	0	1	2	and Lieute-
Awarding a Constable against a Person presented for Non-Appearance or				nant Gover-
Contempt - - - - -	0	1	2	nor's Fees.
Granting Execution - - - - -	0	1	2	
Acceptance of an Appeal - - - - -	0	1	2	
A Pass, including every Charge for issuing the same, 9d.; and the same to be given out in the different Towns, as formerly accustomed.				
Affixing the Seal Public of the Island to a Commission, or other Paper or Proceeding - - - - -	0	12	3	
And a Certificate, if required - - - - -	0	12	3	

A TABLE OF FEES FOR THE DEEMSTERS, WATER BAILIFF, AND HIGH BAILIFFS.

For a common Warrant or Process to charge Parties and Witnesses, for each Party and Person, 7d.; so as the same do not, at any one Time, in any one Cause, for both Parties and Witnesses, exceed the Sum of 2s. 4d.				Deemsters, Water Bailiff, and High Bailiffs Fees.
A Warrant or Order to Summon a Jury of Enquiry, Trespass Jury, Jury of Survey, or Jury of Report - - - - -	0	1	2	
An Order for Hearing a Petition - - - - -	0	1	2	
A Continuance of the same - - - - -	0	0	7	
A Presentment against each Person - - - - -	0	0	7	
Acceptance of an Appeal - - - - -	0	1	2	
Caption to a Deed, Bond, Note, or other Instrument, by a Deemster or High Bailiff - - - - -	0	1	2	
Taking an Affidavit in Writing - - - - -	0	1	2	
An Order of Arrest for Rent - - - - -	0	1	2	

A TABLE OF FEES FOR THE VICARS GENERAL, OFFICIAL, AND REGISTERS OF THE ECCLESIASTICAL COURTS.

For a common Citation, to charge Parties or Witnesses, for each Party and Person, 7d.; so as the same do not at any one Time, in any one Cause, for both Parties and Witnesses exceed the Sum of 2s. 4d.				Vicars General and Registers Fees.
An Order for Hearing a Petition - - - - -	0	1	2	
A Continuance of the same - - - - -	0	0	7	
A Presentment against each Person - - - - -	0	0	7	
Probate of a Will - - - - -	0	2	11	
Letters of Administration - - - - -	0	3	6	
An Order or Judgment - - - - -	0	0	7	
A Commission to examine Parties or Witnesses beyond Seas - - - - -	0	12	3	
Taking down Depositions specially in Court, for each Deposition not exceeding one Page of sixteen Lines of common Writing, 1s. 2d.; and if exceeding one such Page, then for each Page containing sixteen Lines as aforesaid, 7d.				
Taking down Depositions specially out of Court, 12s. 3d.; and if a whole Day or more, for each Day's Attendance £1. 4s. 6d.				
For a Copy of Record not exceeding one Side or Page of common Writing Paper, 7d.; and if more than one Page, for each Page containing sixteen Lines, except the last Page it should happen not to be wholly written, 7d.				

A TABLE OF FEES FOR THE ROLLS OFFICE AND CLERK OF THE ROLLS.

For a Copy of Record not exceeding one Side or Page of common Writing Paper, 7d.; and if more than one Page, for each Page containing sixteen Lines, and also for the last Page, though the same should not happen to contain so many Lines, 7d.				Fees to Clerk of the Rolls.
A Contempt against each Person - - - - -	0	0	7	
Administering Oath upon Affidavit taken in Writing - - - - -	0	1	2	
Administering Oath of Office and enrolling Commission - - - - -	0	5	10	
Writing Confirmation, and recording a Deed - - - - -	0	2	4	
Entering a Traverse - - - - -	0	1	2	
Drawing a Commission to take Answer or Depositions - - - - -	0	5	10	

	<i>£</i>	<i>s.</i>	<i>d.</i>
Appointment to summon Parties or Witnesses, for each Party and Witness, 7 <i>d.</i> ; so as the same do not at any one Time, in any one Cause, for both Parties and Witnesses, exceed the Sum of 2 <i>s.</i> 4 <i>d.</i>			
A Presentment against each Person for Non-appearance before the Clerk of the Rolls	0	0	7
Taking down Depositions specially in Court, for each Deposition (not exceeding one Page of sixteen Lines), 1 <i>s.</i> 2 <i>d.</i> ; and if exceeding one such Page, then for each Page containing sixteen Lines, and also for the last Page, though the same should happen not to contain so many Lines, 1 <i>s.</i> 2 <i>d.</i>			
Taking down Depositions, upon an Examination out of Court, 12 <i>s.</i> 3 <i>d.</i> ; and if a whole Day or more, for each Day's Attendance, £1. 4 <i>s.</i> 6 <i>d.</i>			
Exemplifications, on Appeals to the King, for each Sheet containing twenty Lines, written Brief-ways, on one Side only	0	2	4
Ordinary Rules of Court, in the Courts of Chancery, Exchequer, and Common Law, for each Rule	0	0	7
Taking Answer of each Defendant to a Bill in Equity	0	2	4
For search of every ten Years' Rolls, Books, or Bundles, and Certificate, if required	0	1	2
Entering a Claim for Title of Houses or Lands	0	1	2
Cancelling a Mortgage	0	1	2
And Certificate, if required	0	1	2
A Conditional Bond, or Recognizance	0	2	11
Administering Oath to a Guardian	0	1	2

A TABLE OF FEES FOR CORONERS, LOCKMEN, AND SUMNERS.¹

Coroner's Fees.	For charging or summoning Parties, Witnesses, and Jurors in any Cause, and granting Certificate, if required, for each Party, Witness, and Juror, 4 <i>d.</i> ; so as the same do not, at any one Time, in any one Cause, exceed to one Coroner, Lockman, or Sumner, 1 <i>s.</i> 2 <i>d.</i>			
	For granting to a Party, Witness, or Juror, a Certificate of his or her being charged	0	0	2
Poundage.	Executing a Decree, Judgment, or Execution, against each Defendant, (including the charging of a Jury to discover and appraise Effects), and making a Return or Certificate, if required, 7 <i>d.</i> , and the usual Charges in Case of a Sale; and the Coroner to be allowed, over and above the Fees before-mentioned, for each Parish in or through which he may be obliged to travel or go, in doing any of the Duties aforesaid, beyond the Parish in which he resides, 8 <i>d.</i> ; and the Coroner of Glanfabo going out of his Shending, to execute any Duty of his Office, to be allowed for each and every Parish in or through which he may be obliged to travel or go beyond the said Shending, 1 <i>s.</i> 9 <i>d.</i> ; provided that upon Sales exceeding <i>One Hundred Pounds</i> , the Coroner or Lockman shall have only Sixpence in the Pound, as Poundage, for what such Sales produce beyond a hundred Pounds.			

A TABLE OF FEES FOR CONSTABLES.²

Constables Fees.	For executing Arrest under any Action, Warrant, Order, or Judgment, for each Party or Person arrested	0	1	2
	For conveying a Person arrested to Jail, or before a Court, Magistrate, or Jury, for every Parish, not exceeding five Parishes, in or through which the Constable may be obliged to travel or go in Performance of such Duty, 7 <i>d.</i> ; and if exceeding five Parishes, then for each Parish as aforesaid, 1 <i>s.</i> 2 <i>d.</i>			
	Executing Arrest against Property or Effects, 1 <i>s.</i> 2 <i>d.</i> ; and for each Parish in or through which the Constable may be obliged to travel or go, as aforesaid, 7 <i>d.</i>			
	Writing and taking Bail Bond	0	1	2
	Writing Certificate of Property or Effects arrested, 1 <i>s.</i> 2 <i>d.</i> ; but if the same exceed one Side or Page of common Writing Paper, containing sixteen Lines for each Page, 7 <i>d.</i>			

¹ Repealed by Act of 1855.² Repealed by the Constables and Witnesses Act, 1869.

Confining a Jury until they agree upon a Verdict	-	-	-	-	0	1	2	
Provided, that Nothing herein contained shall extend or be construed to extend to entitle any of the Officers before-mentioned, to demand or receive any Fees for or in respect of such Public Business, as they, or any of them, have heretofore been accustomed and bound to do, <i>ex officio</i> , without Fee.								No Fee for <i>ex officio</i> Business.

CHAPTER III.

An Act to fix and regulate the Fees of Advocates and Attorneys, the Wages or Expences of Witnesses, and the Perquisites of Teachers of Parochial or Petty Schools.¹

Whereas in and by an Act, passed in the Year of our Lord 1777, intituled, "An Act for the Appointment of Attorneys, and for the fixing of their Fees," a Table of Fees for Advocates and Attorneys is appointed and set down, which Table of Fees is found to be inadequate in the present Day.

We, therefore, your Majesty's most dutiful and loyal Subjects, the Governor, Council, Deemsters, and Keys of the said Isle, in Tynwald assembled, do humbly beseech your Majesty, that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Governor, Council, Deemsters, and Keys of the said Isle, and by the Authority of the same, That from and after the Promulgation of this Act, the Table of Fees hereinafter mentioned and set down, shall be the legal and established Fees of and for Advocates and Attorneys in the said Isle, for and in respect of the Services and Business in the said Table mentioned, in lieu of the said Fees established in and by the said Act passed in the Year of our Lord 1777. And that the said Act do in every other respect remain unaltered.

Act of 1777
for appoint-
ing Attor-
neys.

Act of 1777
repealed
as to Attor-
neys Fees,
only.

A TABLE OF FEES FOR ADVOCATES AND ATTORNEYS.

Retainer	-	-	-	-	-	-	-	0	5	10	Attorneys
Attendance, receiving Instructions	-	-	-	-	-	-	-	0	5	10	and Advo-
Drafting a Bill or Action, Declaration, Information, Petition, Answer, Plea, Demurrer, Replication, Rejoinder, or Exceptions, 4s. 8d.; and if the same exceed one Sheet of common Writing Paper, then for each Side or Page containing sixteen Lines, and also for the last Page, though the same should happen not to contain so many Lines, 1s. 2d.	-	-	-	-	-	-	-	0	5	6	cates Fees.
Preparing and producing Brief, for Hearing a Cause on the Merits, 3s. 6d.; and if the same exceed one such Sheet as aforesaid, then at the Rate of 3s. 6d. a Sheet for each Side or Page containing sixteen Lines, and also for the last Page, though the same should happen not to contain so many Lines.	-	-	-	-	-	-	-	-	-	-	
Drawing a Deed of Conveyance, Will, or other Instrument of that Kind, 5s. 10d.; and if the same be more than one Sheet, then at the Rate of 5s. 10d. a Sheet for each Side or Page containing sixteen Lines, and also for the last Page, though the same should not contain so many Lines.	-	-	-	-	-	-	-	-	-	-	
Writing Affidavit to ground a common Action	-	-	-	-	-	-	-	0	1	2	
Writing Special Affidavit, 3s. 6d.; and if the same be more than one Sheet, then at the Rate of 3s. 6d. a Sheet for each Page containing sixteen Lines, and also for the last Page, though the same should happen not to contain so many Lines.	-	-	-	-	-	-	-	-	-	-	
Writing Depositions before a Jury, for each Deposition, 1s. 2d.; but if such Deposition exceed one Side or Page of Paper of sixteen Lines, then for each Page, 1s. 2d.	-	-	-	-	-	-	-	-	-	-	

¹ So much as relates to the Fees of Advocates repealed by the Advocates Act, 1874.

So much as relates to Teachers virtually repealed by the Elementary Education Act, 1872.

	£.	s.	d.
Attendance, ordering an Office Copy - - - - -	0	1	9
Attendance, receiving the said Copy - - - - -	0	1	2
Taking out a common Action - - - - -	0	1	9
Attendance, applying for Process, Order, or Execution - - - - -	0	1	2
Attendance afterwards, receiving the same - - - - -	0	1	2
Attendance on Coroner, Lockman, Sumner, or Constable, directing any Proceeding - - - - -	0	1	2
Attendance, receiving Certificate or Return - - - - -	0	1	2
A common Motion in Court - - - - -	0	2	11
A Special Motion in Court - - - - -	0	5	10
Attending an Examination of Witnesses, 12s. 3d.; and if a whole Day or more, for each Day £1. 4s. 6d.			
Arguing a Cause upon the Merits, before the Staff of Government, Court of Chancery, Court of Exchequer, Consistorial or Chapter Court, or before the House of Keys - - - - -	0	12	3
Arguing a Special Plea, Demurrer, or Exceptions - - - - -	0	12	3
Attendance on Witnesses, to know what can be proved in any Cause depending in any of the before-mentioned Courts, for each Witness, 3s. 6d.; so as the same do not exceed in the whole, upon any one Examination, 12s. 3d.			
Arguing a Cause on the Merits, in the Deemster's Court, Admiralty Court, or Vicar General's Court, and Examining the Witnesses (if any) in the same Cause - - - - -	0	5	10
Attending before a Jury, 12s. 3d.; and if a whole Day or more, for each Day, £1. 4s. 6d.			
Attending on any other professional Business not herein before specified, for each Day - - - - -	1	4	6
Drawing a Jury's Verdict - - - - -	0	2	4
Journey on Business, for each Mile, 1s. 2d.; but no Charge to be allowed for Journey to the ordinary and fixed Courts, unless by Agreement.			
Writing a Letter - - - - -	0	1	2
Fair Copy of any Plea or Proceeding, to file, for each Side or Page, containing sixteen Lines, and also for the last Page, though the same should happen not to contain so many Lines - - - - -	0	0	7
Any Charge not herein before specified to be regulated upon Taxation, by the Clerk of the Rolls, provided that either Party finding himself aggrieved by the Taxation of any Bill of Costs, may apply for Relief by Petition to the Chancellor, whose Order therein shall be final.			

And, whereas, by an Act passed in the Year of our Lord 1758, Provision was made for the Wages or Expences of Witnesses, which Provision is found to be very inadequate: be it therefore enacted by the Authority aforesaid, That from and after the Promulgation of this Act, the following Table of Wages or Expences to Witnesses shall be the legal and established Wages or Expences to be allowed to Witnesses, according to their several Ranks and Degrees therein mentioned, any Law, Custom, or Usage to the contrary notwithstanding.¹

TABLE OF WAGES OR EXPENCES TO BE ALLOWED TO WITNESSES.

	£	s.	d.
To every Person of the Degree of a Gentleman or Gentlewoman, who shall be charged, and appear as a Witness before any Court, Magistrate, or Minister of Justice, for every Parish in or through which such Witness may be obliged to travel or go to give Evidence - - - - -	0	1	9
Gentleman.			
To a Man, of the Class or Degree of a Tradesman, who shall be charged and appear as a Witness aforesaid, for loss of Time - - - - -	0	1	9
Tradesman.			
And to a Woman, of the same Class or Degree, for loss of Time - - - - -	0	1	2
And for every Parish in or through which a Witness, of the last-mentioned Class or Degree, may be obliged to travel or go as aforesaid - - - - -	0	0	7
To a labouring Man, or labouring Woman, who shall be charged and appear as a Witness as aforesaid, for loss of Time - - - - -	0	1	2
Labourer.			
And for every Parish in or through which such last-mentioned Witness shall be obliged to travel or go as aforesaid - - - - -	0	0	4

¹ Repealed by the Constables and Witnesses Act, 1869.

	£.	s.	d.	
To a Witness, of whatever Class or Degree, who shall be charged to witness and to prove the Summons of a Defendant or Defendants, in any Cause at Common Law, for loss of Time, to be paid in Hand - - -	0	1	2	
And for every Parish in or through which such last mentioned Witness may be obliged to travel or go to attend the Court - - -	0	0	4	
A Tradesman, attending to give Evidence in any Matter relating to the Art or Mystery of his Trade, to be allowed at the Discretion of the Court, Judge, Magistrate, or Minister of Justice, before whom he is charged, any Sum not exceeding - - -	0	12	8	Tradesman.
A professional Gentleman, attending to give Evidence in any Matter relating particularly to his Profession, to be allowed in Manner aforesaid any Sum not exceeding - - -	1	4	6	Professional Gentleman.
Provided, that Nothing herein contained shall extend, or be construed to extend, to entitle Witnesses to Wages in any Matter, in which they have not heretofore been intituled to Wages by the Law or Custom of the said Isle.				

And, whereas by an Act passed in the Year of our Lord 1704, it is amongst other Fees to Things enacted, That the Masters of Petty Schools shall have, over and above their Salaries already allowed, Sixpence quarterly from the Parents of every Child that shall be taught to read English, and Ninepence quarterly from such as are taught to Write; which Allowance is found to be altogether inadequate in the present Day. Be it therefore enacted, by the Authority aforesaid, That from and after the Promulgation of this Act, the Teachers of the Parochial or Petty Schools shall be allowed to receive, over and above their Salaries, the Sum of two Shillings and Elevenpence a Quarter for each and every Scholar taught to read English, and three Shillings and Sixpence a Quarter for each and every Scholar taught to Read and Write.¹

Atholl, Governor.
William Scott,
John Cosnahan.
Thomas Stowell.
Daniel Mylrea.
T. Stephen.

John F. Crellin, } Deemsters.
Norris Moore, }

The Keys.

Thomas Gawne,	Robert Quayle,
William Fitzsimmons,	John Corlet,
Thomas Mylrea,	George Quayle,
Thomas Corlett,	Edward Cotteen,
John Moore,	John Hughes,
John Quane,	Robert Farrant,
John Quayle,	Edward Gawne,
John Llewellyn,	John Gelling.

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*At a Tynwald Court, holden at St. John's Chapel, the 5th Day of July, 1813.*

The before written Acts of Tynwald, intituled "An Act for taking down and rebuilding the Parish Church of Jurby," "An Act to fix and regulate the Fees of certain Public Offices and Officers therein mentioned," "An Act to fix and regulate the Fees of Advocates and Attorneys, the Wages or Expences of Witnesses, and the Perquisites of Teachers of Parochial or Petty Schools," having received the Royal Assent, at the Court, at Carlton House, the 14th<sup>th</sup> of June, 1813, Present, the Prince Regent in Council, as signified by the Right Honourable Lord Sidmouth, Secretary of State for the Home Department, in a Letter addressed to the Lieutenant Governor of this Island, bearing Date the 14th Day of June, 1813, and hereunto annexed; the said Acts were this Day promulgated and published upon the Tynwald Hill, according to the ancient Form and Custom within this Isle. As witness our Subscriptions:

Atholl, Governor.  
William Scott.  
John Cosnahan.  
Thomas Stowell.  
Daniel Mylrea.  
Thomas Stephen.

John F. Crellin, } Deemsters.  
Norris Moore, }

<sup>1</sup> Virtually repealed by the Elementary Education Act, 1872.

<sup>2</sup> This evidently an error, see Royal Assent dated 10th June, p. 369.

## The Keys.

Thomas Gawne,  
John Quayle,  
Edward Cotteen,  
John Corlett,  
Robert Farrant,  
John Caesar Gelling,  
William Fitzsimmons,  
Thomas Corlett,  
John Hughes,

Edward Gawne,  
John Quane,  
John Llewellyn,  
William Cuninghame,  
Thomas Mylrea,  
Robert Quayle,  
Robert Banks,  
John Gelling,  
John Moore.

## ISLE OF MAN, to wit.

*At a Tynwald Court holden at Castle Rushen, the 20th Day of February, in the fifty-third Year of the Reign our Sovereign Lord George the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, &c., and in the Year of our Lord one thousand eight hundred and thirteen, before the Most Noble John, Duke of Atholl, Governor in Chief and Captain General, the Council, Deemsters, and Keys of the said Isle.*

An Act for the better Making, Repairing, and Amending of Highways and Bridges.<sup>1</sup>

Highways  
and Bridges.

Whereas the Funds already provided by Law for the making, repairing, and amending of Highways and Bridges within the said Isle, are found to be very insufficient for the Purposes thereof, and it is become expedient that the said Funds be increased.

Act of 1784.

And whereas by an Act of Tynwald, passed in the Year of our Lord 1784, intituled "An Act to suppress Petty Ale Houses and Tippling Houses," an Impost or Duty is laid upon the retailing of Ale, Wine, and Spirituous Liquors.

Act of 1776.

And whereas by an Act of Tynwald, passed in the said Isle, in the Year of our Lord 1776, intituled, "An Act for the better making, repairing, and amending of the Highways, the Draining of Fens and Marshy Grounds, the making of Stone Walls and other Boundaries, and for the more effectually preventing of Trespasses," an additional Impost or Duty is laid upon the retailing of Ale, Wine, and Spirituous Liquors, and directed to be applied to the Use of the said Highways and Bridges.

And whereas it is thought expedient to suspend, for the Term and Time hereinafter mentioned, the said Act of Tynwald, passed in the Year of our Lord 1784, and also that Part of the said Act of Tynwald, passed in the Year of our Lord 1776, whereby an additional Impost or Duty is laid upon the retailing of Ale, Wine, and Spirituous Liquors, and directed to be applied to the Use of the Highways and Bridges aforesaid, and to lay an Impost or Duty upon the retailing of Ale, Wine, and other Liquors, for and during the Term and Time hereinafter mentioned, in lieu of the Duties imposed by the said recited Acts :

Acts of 1784  
and 1776  
suspended.

1. We, therefore, your Majesty's most dutiful and loyal Subjects, the Governor, Council, Deemsters, and Keys of the said Isle, in Tynwald assembled, do humbly beseech your Majesty, that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the Advice of the Governor, Council, Deemsters, and Keys of the said Isle, and by the Authority of the same, that from and after the tenth Day of October next ensuing the Promulgation of this Act, the said Act of Tynwald, passed in the Year 1784, intituled, "An Act to suppress Petty Ale Houses and Tippling Houses," and that Part of the said Act of Tynwald, passed in the Year of our Lord 1776, whereby an additional Impost or Duty is laid upon the retailing of Ale, Wine, and Spirituous Liquors, do severally stand suspended during the Continuance of this Act ; and that from and after the said tenth Day of October next ensuing the Promulgation of this Act, no Person or Persons shall retail any Kind of Wines within the said Isle, without a Licence from the Governor or Lieutenant Governor of the said Isle, for the Time being, under Penalty of three Pounds for each and every Offence ; and that the Sum or Duty of one Pound four Shillings and Sixpence shall be payable and paid for each and every such Licence ; and that from and after the said tenth Day of October next ensuing the Promulgation of this Act, no Person or Persons shall retail any Rum, Geneva, Brandy, or other Spirituous Liquors, within the said Isle, without a Licence

Wine  
Licence,  
£1. 4s. 6d.

<sup>1</sup> Renewed for two years by Act of September 1815, for two years by Act of September 1817, and expired 10th October 1819.

from the Governor or Lieutenant Governor of the said Isle, for the Time being, under Penalty of three Pounds for each and every Offence; and that the Sum of twelve Shillings and Threepence shall be payable and paid for each and every such Licence to retail Spirituous Liquors; and that from and after the said tenth Day of October next ensuing the Promulgation of this Act, no Person or Persons shall retail any Ale, Beer, Porter, Cyder, or Perry, within the said Isle, without a Licence from the Governor or Lieutenant Governor of the said Isle, for the Time being, under the Penalty of three Pounds for each and every Offence; and that the Sum of twelve Shillings and Threepence shall be payable and paid for each and every such Licence to retail Ale, Beer, Porter, Cyder, or Perry; and that the selling of Wine in or by any Vessel, Measure, or Quantity less than a Hogshead; and the selling of Spirituous Liquors in or by any Vessel, Measure, or Quantity less than a Puncheon, Piece, or Butt; and the selling of Ale, Beer, Porter, Cyder, or Perry, in or by any Vessel, Measure, or Quantity less than a Quarter Barrel, shall be deemed and considered to be retailing the same respectively within the Intendment of this Act.

And be it further enacted by the Authority aforesaid, That the said Licences shall be issued Yearly, between the 10th of October and the 1st of November in each Year, and at such other Times as may be ordered occasionally by the Governor or Lieutenant Governor of the said Isle, for the Time being, on special Application for that Purpose.

2. And be it further enacted by the Authority aforesaid, That in all Cases where the Party or Parties applying for the said Licences, or any of them, do not intend to keep a Tavern, Inn, or Public House, he, she, or they shall signify the same upon making such Application; and the Tenor of the Licence or Licences, granted or to be granted upon such Application, shall express that the Party or Parties applying for the same do not intend to keep a Tavern, Inn, or Public House, or to that Effect; and that such last mentioned Licence or Licences so expressed as aforesaid, shall not authorise or intitle the Party or Parties obtaining the same, to keep a Tavern, Inn, or Public House, but shall become null and void to all Intents and Purposes, upon the Party or Parties keeping such Tavern, Inn, or Public House. Provided nevertheless, that the Party or Parties who may have obtained such Licence or Licences, expressing his, her, or their Intention not to keep a Tavern, Inn, or Public House as aforesaid, may, notwithstanding, obtain a general Licence to keep a Tavern, Inn, or Public House, for the Remainder of the Year, without any additional Duty, upon making a proper Application for that Purpose, and producing a Certificate from the High Bailiff of the Town, or the Minister of the Parish, and Coroner of the Sheading, as hereinafter mentioned, and paying the usual and accustomed Office Fees. Provided also, that the Governor or Lieutenant Governor of the said Isle, for the Time being, may, upon good Cause shewn, withhold, withdraw, or revoke any such Licence.

3. And be it further enacted by the Authority aforesaid, That the Party or Parties applying for any such Licence or Licences with the Intention of keeping a Tavern, Inn, or Public House, if an Inhabitant or Inhabitants of a Market Town within the said Isle, shall, previous to obtaining such Licence or Licences, produce a Certificate under the Hand of the High Bailiff of the said Town, that such Party or Parties is or are a fit and proper Person or Persons to receive such Licence. And if the said Party or Parties be not an Inhabitant or Inhabitants of a Market Town, then and in such Case he, she, or they shall, previous to obtaining such last-mentioned Licence or Licences, produce a Certificate to the Effect aforesaid, under the Hands of the Rector, Vicar, or Curate of the Parish, and Coroner of the Sheading wherein such Party or Parties reside, for which Certificate the Sum or Fee of Sevenpence only shall be payable.

4. And be it further enacted by the Authority aforesaid, That from or out of the Sum or Duty payable for or in respect of each and every Licence to be issued in Pursuance of this Act, the Sum or Fee of one Shilling and Twopence shall be payable and paid to the Governor or Lieutenant Governor's Secretary for the Time being, the Sum of Sevenpence to the Clerk of the Rolls, and the Sum of one Shilling and Ninepence to the House of Keys, for the Purpose of repairing or improving the House wherein the Keys assemble on public Business, and other Purposes of the like Nature, as the House of Keys may in their Discretion order and direct; and that the Residue and Remainder of the Sum or Duties arising and to arise from the said Licences, shall be payable and paid into the Hands of the Clerk of the Rolls, as a Fund to be applied in the making, repairing, and amending of the Highways and Bridges within the said Isle, in such Manner as shall from Time to Time be ordered and directed, by the Committee of Highways for the Time being; and that the Fines and Forfeitures aforesaid, shall be paid and applied as follows: viz. one-Half to the Informer, and the other Half into the Hands of the Clerk of the Rolls, to be added to the said Fund for making, repairing, and amending of Highways and Bridges.

5. And whereas, by the said Act of Tynwald, passed in the said Isle, in the Year of our Lord 1776, certain Sums or Duties therein mentioned are made payable by Persons having, keeping, or harbouring certain Descriptions of Dogs, in the said Act particularly mentioned; which said Sums are, by the said Act, directed to be applied for the Purpose

Spirit  
Licence,  
12s. 3d.

Ale Licence,  
12s. 8d.

Licences to  
be issued  
Yearly.

Form of  
Licence.

Certificate of  
the High  
Bailiff of  
Town, or  
Minister or  
Coroner of  
the Sheading  
necessary to  
get Licence.

Fee for Cer-  
tificate, 7d.

Licence  
Duty, how  
applied.

Duty payable  
on Dogs by  
Act of 1776.

Duty on  
Greyhound,  
Lurcher,  
Setter,  
Pointer, or  
Spaniel,  
£1. 4s. 6d.  
per Annum.  
Hound,  
Beagle, or  
Terrier,  
7s. 6d. per  
Annum.

Dogs not  
used for pur-  
suing Game,  
2s. 11d. per  
Ann.

Dog Duty,  
how applic-  
able.

Committee of  
Highways  
may raise  
Money by  
Loan, to be  
repaid out of  
aforesaid  
Funds.

May assign  
Bye-way,  
but not to  
be through  
House, Gar-  
den, &c.

Tynwald  
may alter, &c.  
Orders of  
Committee.

Carts, &c. to  
be driven on  
left Side.

of making, repairing, and amending of Highways and Bridges within the said Isle. And whereas it is thought expedient to increase the Impost or Duty upon the Owners, Keepers, and Harbourners of such Dogs. Be it therefore enacted, by the Authority aforesaid, That from and after the tenth Day of October next ensuing the Promulgation of this Act, that Part of the said Act of Tynwald, passed in the Year of our Lord 1776, respecting the said Impost or Duty upon Dogs, be suspended; and that from and after the said tenth Day of October next ensuing the Promulgation of this Act, all and every Person and Persons within the said Isle, having, keeping, or making use of any Greyhound, Half-bred or Mungrel Greyhound, Lurcher, Setting Dog, Pointer, or Spaniel, for Coursing, Pointing, Setting, or Shooting, or any Dog fit for, or that shall be made use of, for any of the said Purposes, or any Bull-Dog, or Half-bred or Mungrel Bull-Dog, shall yearly and every Year pay the Sum or Duty of one Pound four Shillings and Sixpence for each and every such Dog. And that all and every Person or Persons having, keeping, harbouring, or making use of as aforesaid, any Hound, Beagle, Terrier, or other Dog, fit and proper for Hunting, or which shall be made use of for that Purpose, shall pay yearly and every Year the Sum of seven Shillings for each and every such Dog. And that all and every Person and Persons having, keeping, or harbouring any other Dog or Dogs whatsoever, not used for Diversion, or not fit for pursuing of Game, shall yearly and every Year pay the Sum or Duty of two Shillings and Elevenpence for each and every such Dog; which said several Sums are to be collected and received by the Parochial Surveyor or Surveyors of the Highways in each Parish, between the tenth Day of October and the first Day of March in each and every Year; and that the said several Parochial Surveyors shall make out a regular, true, and particular Account, in Writing, of such Dogs, and by whom kept severally and respectively, which Accounts shall be annually given in to and received by the Clerk of the Rolls for the Time being, between the first and fifth Day of July, with such Sums as shall be so levied and collected by the said Parochial Surveyors; who are thereupon to be paid for their Trouble in the collecting and paying in the same, the Sum of one Shilling in the Pound out of such Money, the Remainder whereof shall be added to the Fund arising out of Public House Licences herein before mentioned, and shall be applied to and for the making, altering, and repairing of the said Highways and Bridges, under the Directions of the Committee of Highways for the Time being. And in Case any Doubt or Dispute shall arise concerning the levying and collecting of the said several Sums so ordered to be paid on account of such Dogs as aforesaid, the same shall be heard and finally determined by or before a Deemster or High Bailiff.

6. And be it further enacted by the Authority aforesaid, That the Committee of Highways for the Time being, shall be, and they are hereby authorised and empowered to raise, by Way of Loan, upon Security of the aforesaid Funds, any Sum or Sums of Money, which it may be thought expedient to raise, and shall be so resolved or ordered by a Tynwald Court, from Time to Time, for the making, repairing, and amending the Highways and Bridges aforesaid, upon such lawful Interest as may be agreed upon; and that all and every Sum or Sums of Money, so borrowed upon the Security of the aforesaid Funds, shall be paid, applied, and disposed of, to and for the making, altering, and repairing of the said Highways and Bridges, in such and the like Manner as the said Funds are directed to be paid, applied, and disposed of; and that the Principal and Interest of such Loans, as and when the same may become payable, shall be payable and paid from and out of the said Funds. And that the said Committee shall also have it in their Power, at their Discretion, to assign, allow, and appoint to the Proprietors of Land, situate near unto any new Highway, made, or to be made, a Bye-way or Road to the said Highway, not exceeding six Yards in Breadth; such Proprietors well and sufficiently inclosing such Bye-way or Road, and making such Compensation for the same to the Owner or Owners of the Lands through which the said Bye-way or Road may be directed, as aforesaid, as the said Committee shall, in their Judgment think proper to allow; provided that the same be not directed through any House, Garden, Orchard, Yard, Avenue, or Plantation, adjoining or near unto any Dwelling House; and that it shall also be in the Power of the said Committee, for the Time being, to contract with any Person or Persons for the repairing or keeping in Repair any particular Line of Road, and to assign and appoint to such Person or Persons any Portion or District of the Parochial Highway Labour on account of such Contract, with full Powers to enforce the Payment or Performance of such Parochial Labour.

7. And be it further enacted by the Authority aforesaid, That the Orders and Proceedings of the Committee of Highways for the Time being, shall be subject to be revised, altered, amended, or revoked, by the Governor, Council, Deemsters, and Keys, in Tynwald assembled, whose Order therein shall be final, and not open to Appeal.

8. And be it further enacted by the Authority aforesaid, That from and after the Promulgation of this Act, the Drivers of Carts, Cars, Drays, and other Carriages, upon or through any Highway or common Street, shall drive the same on the Left-hand Side, in case of Meeting with any other Cart, Car, Dray, or Carriage, on Pain of forfeiting

and paying for every Default a Fine of ten Shillings; One-half to be paid to the Informer, and the other Half to be paid into the Hands of the Clerk of the Rolls, to be added to the Highway Fund, and disposed of accordingly. And that the Owners, as well as Drivers of Carts, Cars, Drays, and other Carriages, taking the wrong Side of the Road, shall be liable for such Damages as may be occasioned to any other Person or Persons by Reason of the same.

9. And be it further enacted by the Authority aforesaid, That from and after the Publication of this Act, if the Driver of any Cart, Car, or Dray, drawn by two or more Horses, shall ride upon such Cart, Car, or Dray, in or through a Market Town or Village, or if the Driver of any Cart, Car, or Dray drawn by one Horse only, without having proper Reins in Hand to guide such Horse, shall ride upon such last mentioned Cart, Car, or Dray, in or through a Market Town or Village, every such Driver so offending shall be subject to a Fine of ten Shillings; One-half to be paid to the Informer and the other Half to be paid into the Hands of the Clerk of the Rolls, to be added to the Highway Fund, and disposed of accordingly. And that the said several Fines of ten shillings shall be recoverable before a Deemster or High Bailiff, at the Suit of the Parochial Surveyor of Highways within the Parish where the Offence shall be committed.

Drivers not to ride on Carts through Market Towns.

Fine of 10s. for offending.

10. And whereas the Inhabitants of the Market Towns in the said Isle are subject to the Burden of Paving the Streets in the said Towns, in respect of their Houses and Tenements within the same, and are also bound in respect of such Houses and Tenements to perform their Parochial Labour to the Highways, which is found in many Instances to bear hard upon Individuals. Be it therefore further enacted by the Permission and Authority aforesaid, That the Committee of Highways, or a Majority of them, shall, upon Application made to them for that Purpose, grant such Aid, Relief, and Indemnity from and out of the Highway Fund, or otherwise, in Case of such individual Hardship, as they shall judge right and proper, upon Consideration of the Circumstances of the Party and the Nature of the Case.

Committee may assist Occupiers of Houses towards Highway Labour.

11. And be it further enacted by the Authority aforesaid, That this Act shall commence and take Effect from the 10th of October next ensuing the Promulgation hereof, and shall continue and be in Force for the Term and Space of two Years thereafter, and no longer. But it is hereby provided and declared, to be the true Intent and Meaning of this Act, that for the Space of Time between the first of September, immediately before or immediately after the Promulgation of this Act, and the 10th Day of October next ensuing the Promulgation thereof, no Dog Tax shall be recoverable under or by Virtue of the said Act of the Year 1776, or if recovered, that the same shall be held as part Payment of the Duty payable by this Act.

Act to be in Force 2 Years.

John F. Crellin, }  
Norris Moore, } Deemsters.

Atholl, Governor.  
William Scott.  
John Cosnahan.  
Thomas Stowell.  
Daniel Mylrea.  
T. Stephen.

#### The Keys.

William Fitzsimmons,  
Thomas Gawne,  
John Moore,  
John Quarr,  
John Quayle,  
John Llewellyn,  
John Corlett,  
Robert Quayle,

Thomas Mylrea,  
Thomas Corlett,  
George Quayle,  
Edward Cotteen,  
John Hughes,  
Robert Farrant,  
Edward Gawne,  
John Gelling.

*At the Court at Carlton House 10th June 1813.*

#### PRESENT :

His Royal Highness the Prince Regent in Council.

Whereas there was this day read at the board, a Report from a Committee of the Lords of His Majesty's Most Honourable Privy Council dated the ninth of this Instant in the words following, viz :—

Your Royal Highness having been pleased, by your Order in Council of the twentieth ultimo in the name and on the behalf of His Majesty, to refer unto this Committee a letter from the Right Honorable Viscount Sidmouth one of His

A A



Majesty's Principal Secretaries of State to the Lord President of the Council transmitting Your acts passed by the Legislature of the Isle of Man, viz. :—

"An act for taking down and rebuilding the Pariah Church of Jurby."

"An act to fix and regulate the Fees of certain public Offices and Officers therein mentioned."

"An act to fix and regulate the fees of Advocates and Attornies the wages or expenses of witnesses and the Perquisites of Teachers of Parochial or Petty Schools."

"An act for the better making, repairing, and amending of Highways and Bridges."

The Lords of the Committee in Obedience to your Royal Highness's said order of Reference have taken the said Letter and Acts into Consideration, and their Lordships seeing no objection to the principles on which these several acts are founded and the Provisions appearing to their Lordships to be adapted to the carrying such Principles into execution. The Lords of the Committee do thereupon agree humbly to lay the said acts before your Royal Highness as proper to receive your Royal Highness's Confirmation.

His Royal Highness the Prince Regent having taken the said Report into consideration was pleased in the name and on the behalf of His Majesty, and by and with the Advice of His Majesty's Privy Council to approve thereof and to order as it is hereby ordered, That the said acts be and they are hereby confirmed, And the Right Honorable Viscount Sidmouth one of His Majesty Principal Secretaries of State is to take the necessary measures herein accordingly.

JAS. BULLER.

*At a Tynwald Court, holden at St. John's Chapel, the 5th Day of July, 1813.*

The before written Act of Tynwald, intituled "An Act for the better making, repairing, and amending of Highways and Bridges," having received the Royal Assent, at the Court at Carlton House, the 14th<sup>1</sup> of June, 1813, Present, his Royal Highness the Prince Regent in Council, as signified by the Right Honourable Lord Viscount Sidmouth, Secretary of State for the Home Department, in a Letter addressed to the Lieutenant Governor of this Isle, bearing Date the 14th of June, 1813, the said Act was this Day promulgated and published upon the Tynwald Hill, according to the ancient Form and Custom within this Isle, as witness our Subscriptions:

John F. Crellin, }  
Norris Moore, } Deemsters.

Atholl, Governor.  
William Scott.  
John Cosnahan.  
Thomas Stowell.  
Daniel Mylrea.  
T. Stephen.

**The Keys.**

John Cæsar Gelling,  
Robert Farrant,  
John Corlet,  
Thomas Gawne,  
John Quayle,  
Edward Cotteen,  
William Fitzsimmons,  
Thomas Corlett,  
John Hughes,

Robert Quayle,  
Thomas Mylrea,  
William Cuninghame,  
Edward Gawne,  
John Quane,  
John Llewellyn,  
Robert Banks,  
John Gelling,  
John Moore.

<sup>1</sup> This evidently an error, the Court was held on the 10th.

## ISLE OF MAN, to wit.

*At a Tynwald Court holden at Castle Rushen, the 27th Day of January, in the fifty-fourth Year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord one thousand eight hundred and fourteen, before the Honourable Cornelius Smelt, Lieutenant Governor, the Council, Deemsters, and Keys of the said Isle.*

## CHAPTER I.

**An Act for the more easy Recovery of Debts contracted out of the Limits of the Isle of Man.**

Whereas by an Act of Tynwald, promulgated in the said Act of 1737. Isle, in the Year of our Lord 1737, it is amongst other Things enacted and provided, "That any Person prosecuted in this Island for a Foreign Debt, by any Action of Arrest in the Court of Chancery, shall, for the Future, be held to Bail only for his Personal Appearance to such Action, and for the forthcoming of what Effects he hath within this Island to Answer the Judgment upon the same."

And whereas it is expedient that Foreign Debts shall be recoverable in the said Isle in such and the like Manner as Debts contracted within the same: We, therefore, your Majesty's most dutiful and loyal Subjects, the Lieutenant Governor, Council, Deemsters, and Keys of the said Isle, in Tynwald assembled, do humbly beseech your Majesty, that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lieutenant Governor, Council, Deemsters, and Keys of the said Isle, in Tynwald assembled, and by the Authority of the same.

1. That from and after the Promulgation of this Act, all Debts contracted out of the Limits of the Isle of Man, shall be recoverable in the said Isle in such and the like Manner, to all Intents and Purposes, as if such Debts had been contracted between the same Parties within the Limits of the said Isle.

2. Provided always, that Nothing hereinbefore contained shall extend, or be construed to extend, to affect any Person or Persons who shall have been usually resident within the said Isle, for and during the Space of six Calendar Months

Foreign  
Debts.

Foreign Debt  
recoverable  
in like Man-  
ner as Debts  
contracted in  
the Island.

Not to extend  
to Persons  
residing in  
Island six  
Months pre-

vious to Act,  
or to Persons  
in the Service  
of Govern-  
ment who  
have de-  
parted with  
Intention to  
return.

immediately preceding the Day of the Promulgation of this Act, or who hath or have been usually resident within the said Isle for one Year before the Commencement of the said six Months, and who hath or have departed the said Isle in the Service of Government, Civil or Military, with an Intention to return to the said Isle as the Place of his or their Abode; save and except as to all Cases of Debts or Penalties due to the Crown, and as to all Cases of Persons who have fled from their Bail, in any Part of Great Britain or Ireland, leaving such Bail charged or chargeable there; and also, save and except as to all Cases of Persons who have committed Offences against the Bankrupt Laws of Great Britain or Ireland.

Judgments  
of British  
Courts to be  
recognised.

3. And whereas it would tend still further to facilitate the Recovery of Foreign Debts, if the Orders, Judgments, and Decrees of the Courts of Great Britain and Ireland were to be recognized in the Courts of the Isle of Man. Be it therefore further enacted, by the Authority aforesaid, that in all Cases where any Order, Judgment, or Decree, shall have been pronounced against any Person or Persons in any Action or Suit, in any of the Courts of Great Britain or Ireland, for the Payment of any Debt, Damage, Costs, Sum or Sums of Money, it shall and may be lawful for the Court of Chancery of the Isle of Man, upon the Production of an Office Copy of such Order, Judgment, or Decree, and upon such Affidavit or Affidavits being made as required by the Law of the said Isle, in order to obtain an Action or Process of Arrest, to issue and grant the usual Action or Process of Arrest against such Person or Persons as aforesaid; and that such Office Copy of such Order, Judgment, or Decree, as aforesaid, shall be deemed *prima facie* Evidence of the Debt or Damage therein mentioned, upon the Trial or final Hearing of such Action.

Office Copy  
of Foreign  
Judgment to  
be *prima*  
*facie* Evi-  
dence.

C. Smelt, Lieut.-Governor.

William Scott.

John F. Crellin, Deemster.

John Cosnahan.

W. Frankland.

Thos. Stephen.

#### The Keys.

Thomas Gawne,  
William Cuninghame,  
Edward Gawne,  
John Llewellyn,

Robert Banks,  
John Quane,  
William Fitzsimmons,  
Robert Farrant,

John Hughes,  
Thomas Corlett,  
Thomas Harrison,  
John Cæsar Gelling,

Robert Quayle,  
John Gelling,  
Edward Cotteen.

Promulgated 24th March 1814.

ISLE OF MAN, to wit.

*At a Tynwald Court holden at Castle Rushen on the 27th Day of January in the 54th Year of the Reign of our Sovereign Lord George the Third by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith and so forth, and in the Year of our Lord 1814 before the Honourable Cornelius Smelt, Lieutenant-Governor and Chancellor of the said Isle, Council, Deemsters, and Keys of the said Isle.*

## CHAPTER II.

### An Act for affording Relief to Insolvent Debtors in the Isle of Man.<sup>1</sup>

Whereas no adequate Relief is afforded by the existing Laws of the said Island to Insolvent Debtors, and it is expedient to make a permanent Provision for the Relief of such Persons, under certain Restrictions: We, therefore, your Majesty's most dutiful and loyal Subjects, the Lieutenant Governor, Council, Deemsters, and Keys of the said Isle, in Tynwald assembled, do humbly beseech your Majesty, that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lieutenant Governor, Council, Deemsters, and Keys, and by the Authority of the same,

1. That from and after the passing of this Act, it shall be lawful for every Person who shall be a Prisoner in any Prison in the Isle of Man, upon any Process whatever, issuing from any Court whatever, for or by Reason of any Debt, Damage, Costs, Sum or Sums of Money, or Contempt for Nonpayment of Money, and who shall have been in actual Custody in any Prison, upon Process, for some or one of the said Debts or Demands, during the Space of twelve Calendar Months, or more, to apply by Petition, in a summary Way, to the Court of Chancery of the said Isle, for his or her Discharge from Confinement, according to the Provisions of this Act; and in such Petition such Prisoner shall state the Prison wherein such Prisoner shall be confined; the Time when such Prisoner was first charged in Custody and received in Prison, upon some Process upon which he or she shall be detained in Prison, together with the Name or Names of the Person or Persons at whose Suit or Prosecution such Prisoner shall, at the Time of presenting such Petition, be detained in Prison; and the Amount of each and every Debt or Sum of Money for which such Prisoner shall be so detained, and shall pray to be discharged from Custody upon all such Process, and to have future Liberty of his or her Person against the Demands for which such Prisoner shall be then in Custody; and against the Demands of all other Persons who shall be named or specified as Creditors, or as claiming to be Creditors in the Schedule annexed to such Petition, who shall at the Time of presenting such Petition be resident in the Isle of Man, or shall have been during the Space of the preceding six Months usually resident therein, whether Natives or Foreigners; and against the Demands of all other Persons resident elsewhere, who may be desirous to be admitted and inserted as Creditors in the Schedule, and who shall voluntarily consent to the Discharge of the Prisoner, under the Provisions of this Act; and such Prisoner shall by such Petition, offer to convey, assign, and deliver to the Clerk of the Rolls, for the Time being, in Trust for the Payment of such Debts and Sums of Money respectively, from which such Prisoner shall seek to be discharged, all such Property as such Prisoner shall possess or have in his or her Power, as hereinafter expressed; the Wearing Apparel and Bedding, for such Prisoner and his or her Family, and Working Tools and necessary Implements for his or her Occupation or Calling, and other small Necessaries, not exceeding in the Whole the Value of ten Pounds, only excepted; and shall also offer to engage to pay so much of all such Debts and Demands respectively, as shall be justly due from such Prisoner to such Creditors, and as shall not be discharged by

Debtor after  
12 Months  
Imprison-  
ment may  
apply to be  
discharged  
from Debts  
due to all  
Creditors  
named in the  
Schedule.

Assignment  
of Effects to  
Clerk of the  
Rolls.

Wearing  
Apparel and  
Bedding  
excepted.

<sup>1</sup> Expired 24th March 1816.

Schedule of  
Effects to be  
annexed to  
Petition.

Schedule to  
distinguish  
Property in  
Island from  
that else-  
where.

Articles  
excepted to  
be described.

Petitioner's  
Oath.

means of the Property so to be conveyed, assigned, and delivered, in case such Prisoner shall at any Time thereafter become possessed of sufficient Means for such Purpose, and shall also offer to enter into and execute such Bonds and Obligations, and to execute such Powers of Attorney as are hereinafter mentioned; to which Petition shall be annexed a Schedule, containing a full and true Description of all and every Person and Persons to whom such Prisoner shall be then indebted, or who to his or her Knowledge or Belief shall claim to be a Creditor or Creditors of such Prisoner, distinguishing such as are usually resident in the Isle of Man from those who are resident elsewhere, with the Nature and Amount of such Debts and Claims respectively, distinguishing such as shall be admitted from such as shall be disputed by such Prisoner; and also a full, just, true, and perfect Account and Discovery of all the Estates and Effects, real and personal, in Possession, Reversion, Remainder, or Expectancy, of every Nature and Kind whatsoever; which such Prisoner or any other Person or Persons in Trust for such Prisoner, or for his or her Use, Benefit, or Advantage, in any Manner whatsoever, shall have been, or shall be seized or possessed of, or interested in, or intitled unto, or which such Prisoner or any Person or Persons in Trust for him or her, or for his or her Benefit, shall have had or shall have any Power to dispose of or Charge for the Benefit or Advantage of such Prisoner at the Time when such Prisoner was first committed to Prison, or charged in Custody for any of the Debts or Sums of Money for which such Prisoner shall be detained in Custody, or at any Time subsequent to that Time, before and on the Day on which the Truth of such Schedule shall be sworn to by such Prisoner, as herein directed; distinguishing such Part and Parts of all such Property and Estate as may be situated within the Isle of Man from such other Part and Parts as may be situated elsewhere; together with a full, just, true, and perfect Account of all Debts at such Time owing to such Prisoner, or to any Person or Persons in Trust for him or her, or for his or her Benefit or Advantage, either solely or jointly, with any other Person or Persons, and the Names and Places of Abode of the several Persons from whom such Debt shall be or shall have been due or owing; and of the Witnesses who can prove such Debts as shall remain due (if any such there shall be), so far as such Prisoner can set forth the same, and in what Manner any such Estate or Effects, real or personal, of such Prisoner, shall have been applied or disposed of since the Time when such Prisoner shall have been so first committed to Prison, or charged in Custody as aforesaid; and which of such Estates or Effects, or any of them, shall have been in any Manner conveyed, assigned, disposed of, charged, or incumbered, in any Manner whatsoever, and when, and in what Manner, and for what Consideration, and to whom, and for whose Benefit, and which of such Estates and Effects shall, at the Time of Swearing to the Truth of such Schedule, be applicable to the Discharge of the Demands of his or her Creditors; and such Schedule shall also fully and truly describe the Wearing Apparel and Bedding of such Prisoner, and his or her Family, and the Working Tools and Implements, and other small Necessaries, intended to be excepted by such Prisoner from the Assignment proposed by the said Petition to be made by such Prisoner as aforesaid, together with the Value of such excepted Articles respectively; and such Prisoner shall make Oath of the Truth of such Petition and Schedule to the following Effect, or with such Variations, according to the special Circumstances, as shall be consistent with the Provisions of this Act:—"I, A. B. upon my corporal Oath, in the Presence of the Almighty God, do solemnly swear and declare, that on the — Day of —, I was really and truly a Prisoner in the actual Custody of —, in the Prison or Gaol of —, at the Suit of —, for the Sum of —, (as the Case may be), without any Fraud or Collusion whatever, and that I have ever since been and now am a Prisoner in —, in the actual Custody of the Keeper or Gaoler of —, (as the Case may be), or within the Liberties thereof, at the Suit of —, and of —, (as the Case may be), without any Fraud or Collusion whatever; and that I have not had at any Time since I was committed to Prison, or charged in Custody by the said —, as aforesaid, any Means whatever of discharging the Demands of the said —, and of the other Persons named and described as my Creditors, or as claiming to be my Creditors, in the Schedule hereunto annexed and subscribed by me, except the Estates and Effects mentioned in the said Schedule, and that I have not now any Means of discharging such Demands, except so much of the said Estates and Effects as still remain applicable for that Purpose, as expressed in the said Schedule, and that all the Estates and Effects which I have disposed of since I was so first committed or charged in Custody, have been necessarily expended by me for the Maintenance of myself and Family, and for Law Charges and other unavoidable Expences, during my Confinement, and in Payment of just Debts due and owing by me before or since the said — Day of —, when I was first committed to Prison or detained in Custody, at the Suit of the said —, as aforesaid; and that the said Schedule doth contain, to the best of my Knowledge and Belief, a full, just, true, and perfect Account and Discovery of all the Estates and Effects, real and personal, in Possession, Reversion, Remainder, or Expectancy, and of every Nature and Kind soever, which I now am, or which any Person or Persons

" in Trust for me, or for my Use, Benefit, or Advantage, now is or are seized, possessed of, interested in, or intitled unto, or which was or were in my Possession, Custody, or Power, or in the Possession, Custody, or Power of any such Person as aforesaid, or which I, or any Person or Persons had any Power of disposing of or charging for my Benefit or Advantage, at the Time I was so first committed to Prison or charged in Custody by the said \_\_\_\_\_, as aforesaid, or at any Time since that Time, and of all Debts owing to me, or to any Person or Persons in Trust for me, or for my Benefit, either solely or jointly with any other Person or Persons, and of all Securities and Contracts, whereby any Money now is or will or may hereafter become payable, or any Benefit or Advantage which may accrue, or might have accrued to me or my Use, or to any Person or Persons in Trust for me or for my Benefit, at the Time I was so first committed to Prison or charged in Custody as aforesaid, and the Names and Places of Abode of the several Persons from whom such Debts are or were due and owing, and of the Witnesses who can prove such Debts or Contracts as remain due or unperformed, so far as I am able to set forth the same; and that neither I nor any Person or Persons in Trust for me, or for my Use and Benefit, to my Knowledge or Belief, have or has any Land, Money, Stock, or other Estate or Effects whatsoever, real or personal, in Possession, Reversion, Remainder, or Expectancy, or of any Nature or Kind whatsoever, or any Power of disposing of, or of charging for my Benefit or Advantage, any Property whatsoever, other than such as are in the said Schedule contained or expressed, except the Wearing Apparel and Bedding for myself and Family, Working Tools, and the necessary Implements for my Occupation and Calling, and other small Necessaries, not exceeding in the Whole the Value of ten Pounds, mentioned and described in the said Schedule, and intended to be excepted from the Assignment intended to be made by me; and that I have not, nor hath or have any Person or Persons for me, directly or indirectly, sold, lessened, or otherwise conveyed or disposed of, in Trust or otherwise, except as hereinbefore expressed, or in any Manner concealed any Part of my Lands, Money, Goods, Chattles, Stocks, Debts, Securities, Contracts, Estates or Effects, real or personal, whereby to secure the same for my own Benefit, or whereby I may receive, or expect to receive, any Profit or Advantage therefrom, or with any Intent to defraud or deceive any Creditor or Creditors, to whom I am or was indebted in anywise howsoever. So HELP ME GOD."

2. And the said Oath shall and may be administered to such Prisoner by such Court, or by any Officer of such Court, appointed by such Court for that Purpose, and the said Petition, and Schedule, and Oath, shall be respectively subscribed by such Prisoner, in the Presence of the Person by whom such Oath shall be administered, who shall certify the subscription thereof respectively by such Prisoner; and such Petition, Schedule, and Oath shall be filed in the said Court, which Court shall thereupon Name a Day for Hearing the Matter of such Petition, and a Copy of such Petition, Schedule, and Oath, shall be served by the proper Officer, on the several Person or Persons who shall be specified in such Petition as the Person or Persons at whose Suit such Prisoner shall be then detained in Custody, or on his, her, or their Attorney or Solicitor, in the Action or Actions, Suit or Suits, in respect of which such Prisoner shall be so detained, together with a Copy of the Order of the Court upon such Petition, twenty Days at the least before the Day appointed for Hearing the Matter of such Petition, by delivering such Copies respectively to such Person or Persons respectively, or leaving the same with the Wife, Clerk, or Servant of such Person or Persons respectively, at his, her, or their usual Place of Abode, and Notices, in Writing, that such Petition had been presented, and such Schedule and Oath filed in the said Court, together with a Copy of the Order on such Petition, shall be served in like Manner on all and every Person or Persons named or described in the said Schedule as Creditors, or as claiming to be Creditors of the said Prisoner, who shall at the Time of presenting such Petition be resident in the Isle of Man, or shall have been during the Space of the preceding six Months usually resident therein, whether Natives or Foreigners, and against whose Demands such Prisoner shall seek to be discharged, or on the Attorney or Solicitor of any Creditor, in any Action or Suit brought against such Prisoner for the Demand of such Creditor, and such Service shall, on the Hearing of the Matter of the said Petition, be proved on Oath, to the Satisfaction of the Court.

3. Provided always, and be it further enacted, That it shall be lawful to the said Court to substitute any other Mode of Notice, which, under all the Circumstances of the Case may appear to be reasonable; and upon such Notice so given to the Satisfaction of the Court, it shall be lawful for the said Court to proceed on such Petition, with Respect to such Creditors as shall be named or described in such Notice, in the same Manner as the said Court might have done if such Creditors had been respectively served with Notice as hereinbefore directed.

4. Provided always, and be it enacted, That in Case it shall be made to appear to the Satisfaction of the said Court, that any of the Persons required to be served with such Petition, Schedule, Oath, Order or Notice, is or are beyond the Seas, and cannot be found so as to be served with such Petition, Schedule, Oath, and Order, as required by this Act, it shall be lawful for the said Court to proceed upon the said Petition, notwithstanding

Oath to be administered by Officer of Court, and subscribed by Insolvent in his Presence.

Petition to be filed, and Copy served on detaining Creditors;

Also, on Creditors named in Schedule.

Court may substitute Mode of Service.

If any Creditors beyond Seas, Petition may be

heard without Notice to them.

Prisoner not discharged from Debt of Persons not noticed.

How remedied.

Prisoner to be brought up and examined.

Creditors may oppose.

Prisoner may be remanded if his Answers not satisfactory.

Assignment to Clerk of the Rolls of Prisoner's Estate.

Engagement to pay Balance if able at any future Period.

standing such Defect in the Service thereof; but in such Case such Prisoner shall not be in any Manner discharged from the Demands of the Person or Persons who shall not be so served, unless such Person or Persons shall appear before the said Court and oppose the Discharge of such Prisoner, or Consent to the Proceeding of the Court, notwithstanding any such Defect of Service.

5. Provided also, and be it further enacted, That in case of any Defect in the Service of such Petition, Schedule, Oath, or Order, it shall be lawful for the said Court, from Time to Time, to allow further Time for such Purpose, and to make an Order or Orders for adjourning the Hearing of the Matter of the said Petition, in the Whole, or with respect to any particular Person or Persons, to give Opportunity for such Service: and in case the said Petition, Schedule, Oath, and original Order, together with such further Order or Orders, shall be duly served, according to the Provisions of this Act on the Person or Persons not before duly served, twenty Days before the Day appointed for Hearing the Matter of the said Petition on any such further Order, it shall be lawful for the said Court to proceed on such Service as the said Court might have done, if the said Petition, Schedule, Oath, and original Order had been duly served, according to the Provisions before contained in this Act.

6. And be it further enacted, That upon the Day appointed by the said Court for the Hearing the Matter of the said Petition, or upon such subsequent Day as the said Court shall appoint for such Purpose, the said Court shall cause such Prisoner to be brought before the said Court to be examined, touching the Truth of the Matter contained in the said Petition and Schedule; and any of the Creditors of such Prisoner, and any of the Persons named and described in such Schedule, as claiming to be Creditors of any such Prisoner, and any Person or Persons not named and described in such Schedule, who shall claim to be a Creditor or Creditors of such Prisoner, shall be at Liberty to oppose such Petition, and for that Purpose to put such Questions to such Prisoner as the Court shall think fit, touching the Matters contained in such Petition and Schedule, and touching such other Matters as the Court shall be of Opinion it may be proper and fit that such Questions should be put for the due Execution of this Act; and such Prisoner shall answer all such Questions upon Oath; and in case such Prisoner shall not so answer all such Questions to the Satisfaction of the said Court, or in case it shall be made appear to the Satisfaction of the said Court, from such Answers as shall be given by such Prisoner or by Evidence, that such Prisoner is not intitled to the Benefit of this Act, then, and in such Case, such Court shall so declare and shall remand such Prisoner to Custody: Provided always, that in case such Court shall entertain any Doubt, touching any Matter alleged against such Prisoner, to prevent his or her Discharge or touching the Examination of such Prisoner, it shall be lawful for such Court to remand such Prisoner to Custody, and afterwards to cause such Prisoner to be again brought up for Examination as often as to such Court shall seem fit.

7. And be it further enacted, That in case any Person or Persons, claiming to be a Creditor or Creditors of any Prisoner, shall oppose the Petition of such Prisoner for his or her Discharge, such Person or Persons, although not duly served with such Petition, Schedule, Oath, or Order, as aforesaid, shall be considered as having had due Notice thereof, and the Name or the Names of such Person or Persons shall be added to the said Schedule by the said Court, either as Creditor or Creditors, or as claiming to be a Creditor or Creditors of such Prisoner.

8. And be it further enacted, That in case the said Court shall be of Opinion that such Prisoner is intitled to the Benefit of this Act, then, and in such Case, the said Court shall so order and adjudge, and shall in such Order, specify the several Creditors and Persons claiming to be Creditors of such Prisoner, who shall appear to have been duly served with Notice of such Proceedings, or who shall have appeared before the said Court, and opposed the Discharge of such Prisoner, or consented to the Proceedings of the Court with respect to their Demands, notwithstanding any Defect of Service of such Notice; and the said Court shall, in such Order, also specify the several Persons against whose Demands such Prisoner shall be deemed by such Court intitled to be discharged by Virtue of this Act: and such Court shall order and direct such Prisoner to convey, assign, and deliver up to the Clerk of the Rolls, for the Time being, all such Part of the Estates and Effects of such Prisoner as shall be situated within the Isle of Man, for the Purposes of this Act; together with an Engagement to be executed by such Prisoner, to pay so much of the just Debts and Demands of the several Persons against whom such Prisoner shall, by such Court, be adjudged to be intitled to the Benefit of this Act, as shall not be paid out of such Part of such Estate and Effects, so to be conveyed and assigned, as aforesaid, by such Prisoner for such Purpose, or out of such other Estate and Effects as may not be situated within the Isle of Man, in Manner hereinafter mentioned, in case he or she shall, at any Time thereafter, be enabled to pay such Debts and Demands, or to pay such Part or Parts thereof as he or she shall be able, at any Time, to pay from and out of any future Estate or Effects, which he or she may become possessed of within the said Isle; and shall also order all Books, Papers, and Writings, in the Custody or Power of such Prisoner, relating to such Part of the Estate and Effects of such Prisoner as may be situated in the said Isle, and the Demands

of his or her Creditors therein to be delivered, on Oath, to the Clerk of the Rolls; and as to all such other Part of the Estate and Effects of such Prisoner as shall not be situated within the Isle of Man, the said Court shall order and direct that such Prisoner shall execute a sufficient Engagement, by Bond or otherwise, for the Payment and making good of any Deficiency which may arise after the Distribution of such Part of his or her Estate and Effects as shall be situated within the Isle of Man, and as shall have been so conveyed and assigned for the Purposes aforesaid, out of such other Part of his or her Estate and Effects as shall not be situated within the said Isle, and out of any other future Estate and Effects which he or she may, at any Time thereafter, possess out of the said Isle; and the said Court shall further order and direct, that such Prisoner shall execute a sufficient Power or Powers of Attorney, authorising any Person or Persons whom the Court shall appoint, to enter up a Judgment or Judgments against such Prisoner in any of the superior Courts of Great Britain, Ireland, or of any other Country or Place, as the said Court shall direct, at the Suit of any Person or Persons whom the said Court shall appoint, in an Action or Actions of Debt, on Bond, or otherwise, for the Amount of such Deficiency, as nearly as the same can be calculated; which shall be in Trust for the Benefit of the Creditor or Creditors of every such Prisoner against whom such Prisoner shall have obtained his or her Discharge, by Virtue of this Act, and shall be applied and distributed under the Order of the said Court. Provided always, that if any Overplus shall remain from the Sum or Sums of Money recovered on such Judgment or Judgments as aforesaid, after the full Payment of what may remain due to such Creditors as aforesaid, together with all the Costs and Charges of such Proceedings, the same shall be returned to such Prisoner under the Directions of the said Court; and upon due Execution of all such Conveyances, Assignments, Engagements, Bonds, and Powers of Attorney, and delivery of such Books, Papers, and Writings as aforesaid, as such Court shall direct, such Court shall order such Prisoner to be discharged from Custody, and Judgment shall thereupon be entered in such Court against such Prisoner, in Pursuance of such Engagements as aforesaid, which Judgment shall and may, if the Court shall so order, be executed against all such future Estate and Effects of such Prisoner, as he or she shall at any Time thereafter possess within the Isle of Man, in such Manner as the said Court shall direct, and shall bind the Assets of such Prisoner, real and personal, in the Hands of his Heirs, Executors, and Administrators, for the full Amount of the Debts and Demands aforesaid, which shall remain unsatisfied, or so much of such Debts and Demands as the Court shall be of Opinion ought to be satisfied; and Execution shall be had upon such Judgments in such and the same Manner as Execution may be had upon any other Judgments of any of the Courts of Law or Equity within the Isle, nevertheless, according to the Orders of the said Court by Virtue of this Act, and in Conformity to the Provisions in this Act contained.

9. And be it further enacted, That all such Property, Goods, and Effects, of such Prisoner, so conveyed, assigned, and delivered to the Clerk of the Rolls, shall be, by the proper Coroner, appraised, published, and sold, in such and the like Manner and Form as other Goods taken in Pawn or Execution under Judgments, are by the Laws of the said Isle appraised, published, and sold; and the said Coroner shall be intitled to the like Poundage and Fees upon the Sales of the same as upon the Sales of other Goods taken in Pawn or Execution as aforesaid; and the said Coroner shall, with all convenient Speed, deposit and lodge the nett Proceeds thereof in the Rolls Office, together with a full, true, and particular Return of all his Proceedings therein, to be filed with the Petition of such Debtor, and the Clerk of the Rolls shall, within one Month after such Proceeds are so lodged in the Rolls Office, proceed and make a fair and equal Distribution of such Prisoner's Estate and Effects, to and amongst the Creditors of such Prisoner, rateably and proportionably with their respective Demands; for all which the Clerk of the Rolls shall be intitled to charge a fair Compensation for his Trouble, subject nevertheless to the Controul of the said Court.

10. And be it further enacted, That all and every Person who shall at any Time after the presenting of any such Petition and Schedule, voluntarily come and make Discovery of any Part of such Prisoner's Estate, not specified in the said Schedule, and not before come to the Knowledge of the said Court, shall be allowed five Pounds per Centum, and such further and other Reward as the major Part in Value of the Creditors of such Prisoner, present at any Meeting of the said Creditors, shall think fit to be paid by the Clerk of the Rolls, out of the nett Proceeds of such Prisoner's Estate which shall be recovered on such Discovery.

11. And be it further enacted, That all and every Person and Persons, who hath or have accepted, or shall accept any Trust or Trusts, or shall be possessed of and wilfully conceal or protect any Estate, real or personal, of any Prisoner who shall be discharged under the Authority of this Act, and knowing such Discharge, shall not, within the Space of six Calendar Months, after such Discharge, disclose such Trust and Estate, in Writing, either to the Clerk of the Rolls, or to the said Court, and submit himself, herself, and themselves, to be examined touching the same, upon Oath, before the said Court, and truly discover and disclose the same and all the Particulars thereof, shall forfeit any Sum not less than five Pounds, nor more than one hundred Pounds, to and for the Use

Bond for deficiency to be executed.

Overplus Money if any to be paid to Prisoner.

Prisoner's Estate assigned to be appraised and sold by Coroner.

Distribution to be made. Clerk of Rolls to have Compensation for Trouble.

£5 per Cent. for Discovery of Prisoner's Property.

Penalty for concealing Property of Prisoner.



of our Sovereign Lord the King; and it shall be lawful for such Court to order such Person to be imprisoned until Payment of such Forfeitures. Provided nevertheless that in case any such Person shall make it appear to the Satisfaction of the said Court, that he or she is unable to pay the said Forfeitures, that then such Person shall not be detained a Prisoner under this Act, longer than the Space of two Years from the Time of his or her original Commitment.

Prisoner for-  
swearing  
guilty of  
Perjury.

12. And be it further enacted, That if any Prisoner who shall apply for his or her Discharge, under the Provisions of this Act, shall wilfully forswear and perjure himself or herself in any Oath to be taken under this Act, and shall be lawfully convicted thereof, he or she so offending shall suffer such Punishment as by Law may be inflicted on Persons convicted of wilful and corrupt Perjury.

In case of  
future Ar-  
rest, Court  
to discharge.

13. And be it further enacted, That no Prisoner who shall have obtained his or her Discharge, by Virtue of this Act, shall at any Time after such Discharge, so long as the same shall remain in Force, be imprisoned by Reason of any Judgment or Decree obtained for the Payment of Money only, or for any Debt, Damages, Contempt for Non-payment of Money, Costs, or Sums of Money contracted, incurred, occasioned, owing or growing Due with respect to which such Discharge shall have been obtained; but that upon every Arrest, upon any such Judgment or Decree, or for any such Debt, Damage, Contempt, Costs, Sum and Sums of Money, it shall and may be lawful for any Judge of the Court, from which such Process shall have issued, upon shewing to such Judge a Copy of the Order for such Discharge as aforesaid, and upon Affidavit that such Discharge remains in Force, to release from Custody such Prisoner as aforesaid, and at the same Time, if such Judge shall in his Discretion think fit to order the Plaintiff or Plaintiffs in such Suit or Suits, or other Persons suing out such Process, to pay such Prisoner the Costs which he or she shall have incurred on such Occasion, or so much thereof as to such Judge shall seem just and reasonable.

Prisoner to  
have Costs.  
Not to be  
discharged  
for Debts  
incurred sub-  
sequent to  
taking Bene-  
fit of Act.

14. Provided always, That no Prisoner shall be discharged by Virtue of this Act, of any Debt, or other Matter accrued or incurred subsequent to the Application of such Prisoner to be so discharged; and if it shall appear to the said Court that any Prisoner applying to be discharged as aforesaid, stands charged in Custody with any Debt or other Matter accrued or incurred, subsequent as well as previous to such Application, then and in such Case it shall and may be lawful to and for such Court to discharge the Person of such Prisoner only from such Debts or other Matters as had accrued or been incurred previous to such Application, and to remand him or her back to the Custody of the Keeper of the Prison from whence he or she was brought, for all Debts and other Matters for which he or she shall stand charged, and which shall have accrued or been incurred subsequent to such Application.

Persons  
wasting their  
Property to  
defraud Cre-  
ditors, not  
intitled to  
Benefit of  
Act.

15. Provided always, That in case it shall appear to the Satisfaction of the said Court, that any Prisoner who shall apply for a Discharge by Virtue of this Act, has wantonly wasted his or her Estate or Effects whilst in Prison, or fraudulently disposed thereof, or any Part thereof, with Intent to deprive his or her just Creditors of the Benefit thereof, or has wilfully remained in Prison, although intitled to be discharged therefrom by Virtue of this Act, or otherwise, with Intent to consume his or her Property in Prison, instead of applying the same to the Discharge of his or her just Debt, such Prisoner shall not be intitled to the Benefit of this Act, unless on special Circumstances the said Court shall think fit to grant such Discharge.

Attorney  
not to be dis-  
charged for  
Debts in-  
curred for  
Money re-  
ceived in the  
Way of his  
Profession.

16. Provided also, That Nothing in this Act contained shall extend, or be construed to extend, to Release or Discharge any Attorney at Law, Solicitor, or any other Person acting or pretending to act as such, with Regard to any Debt or Demand for any Money or other Effects recovered or received by him, for the Use of any Person or Persons, Bodies Corporate or Politic, and by any such Attorney, Solicitor, or other Person acting as such, embezzled, concealed, or converted to his Use, or to Release or Discharge any Servant or other Person employed or intrusted as such with Regard to any Debt or Demand, for or on Account of any Money, Goods, or other Effects, received or possessed by him or her for the Use and Account of his or her Master or Masters, or Employer or Employers, and by such Servant or other Person so embezzled, concealed, or converted to his or her own Use; or to Release or Discharge any Person with Regard to any Debt or Demand arising from or created by any Breach of Trust or Confidence; any Thing herein contained to the contrary thereof in anywise notwithstanding, unless the Person or Persons to whom such Debt or Demand shall be due or owing shall Consent to the Discharge of such Prisoner by Virtue of this Act, or unless such Prisoner shall have been confined in Prison for such Debt or Demand for the Space of ten Years before the Time when such Prisoner shall apply for his or her Discharge by Virtue of this Act.

Nor Servant  
who may  
embezzle  
Property of  
Master.

Unless ten  
Years in  
Custody.

17. Provided also, That no Prisoner, who knowingly and designedly, by false Pretence or Pretences, or under any fictitious Name or Names, assumed for the Purposes of obtaining Credit, or by any other fraudulent Means shall have obtained from any Person or Persons, Money, Goods, Wares, Merchandizes, Bonds, Bills of Exchange, Promissory Notes, or other Securities for Money or other Effects, or who shall have contracted any Debt, by fraudulently obtaining false Credit, or by any other fraudulent Means, or who shall have fraudulently removed or caused to have been removed, any Stock, Cattle,

Debts  
by

Goods, and Effects, which were subject or liable to be distrained by his or her Landlord or Landlords, for any Rent or Rents, whereby such Landlord or Landlords shall have lost all or some Part of such Rent or Rents, shall have any Discharge by or under this Act, from the Debt or Demand arising from or remaining due, in Consequence of such fraudulent Conduct, unless the Person or Persons who shall be intitled to such Debt or Demand, shall Consent to the Discharge of such Prisoner by Virtue of this Act, or such Prisoner shall have been confined in Prison, for such Debt or Demand for the Space of five Years before the Time when such Prisoner shall apply for his or her Discharge by Virtue of this Act.

18. Provided also, That no Prisoner, who shall have suffered any Person, who has become Bail or Security for such Prisoner, to be charged in respect of such Bail or Security, shall be discharged by Virtue of this Act, from any Debt or Demand arising on such Account, without the Consent of the Person or Persons intitled to such Debt or Demand.

19. Provided also, That no Prisoner who shall be charged in Execution for Damages recovered in any Action for Criminal Conversation with the Wife of the Plaintiff in such Action, or in any Action for seducing or carnally knowing the Daughter or female Servant of the Plaintiff in such Action, or in any Action for a malicious Prosecution, or in any Action for any other malicious Injury, shall have any Discharge from such Debt or Damages under this Act, unless the Person or Persons intitled to the Benefit of such Debt or Damages, shall Consent to the Discharge of such Prisoner, by Virtue of this Act, or unless such Prisoner shall have been confined in Prison for such Debt or Damages for the Space of five Years before the Time when such Prisoner shall apply for his or her discharge under this Act.

20. And whereas Debtors may, with a View to defraud their Creditors, sell, transfer, convey, or assign, their Estate and Effects, or some Part thereof, but it may be difficult to prove that such Sale or Transfer, Conveyance or Assignment, was made with a fraudulent Design; be it enacted, that whenever it shall be proved by one or more credible Witness or Witnesses, or by the Confession of any Prisoner, who shall apply for his or her discharge, by Virtue of this Act, that such Prisoner has since the Time of contracting any Debt or from which he or she shall so seek to be discharged, sold, transferred, conveyed, or assigned to any Person or Persons, all or any Part of his Estate or Effects, subsequent to the Time of his Imprisonment, without just Cause for so doing, (to be determined by the Court), and such Sale, Transfer, Conveyance or Assignment, shall remain in Force, so that the Creditors of such Prisoner cannot have the Benefit of such Estate or Effects, under this Act, without Suit at Law or Equity, every such Prisoner shall lose all Benefit and Advantage that he or she might otherwise have claimed under the Authority of this Act, unless all the Creditors of such Prisoner, against whom such Prisoner shall seek to be discharged by Virtue of this Act will Consent to such discharge.

21. And whereas many Prisoners squander their Property, by playing at Cards, Dice, and other Games, whilst in Prison, to the great Injury of their Creditors; be it enacted, That Nothing in this Act shall extend, or be construed to extend, to discharge or Release any Prisoner who hath or shall have lost, since the Time of his or her Commitment to Prison, for any Debt with which he or she shall stand charged at the Time when Application shall be made for his or her discharge, by Virtue of this Act, the Sum or Value of five Shillings in any one Day, or five Pounds in the Whole, since such Commitment as aforesaid, in playing at or with Cards, Dice, Tables, Tennies, Rackets, Bowls, Billiards, or any other Game or Games whatsoever, or in or by bearing a Share or Part in the Stakes, Wagers, or Adventures, or by betting on the Sides or Hands of such as do play as aforesaid, unless all the Creditors of such Prisoner against whom such Prisoner shall seek to be discharged, by Virtue of this Act, shall Consent to such discharge, or unless such Prisoner shall have been confined in Prison for the Space of five Years at the least since the Time when any such Money was so lost as aforesaid.

22. Provided also, That if any Prisoner seeking the Benefit of this Act shall appear to the Court to whom Application shall be made for such Purpose, to have made, within five Years before the Application of such Prisoner to be discharged, by Virtue of this Act, any Conveyance or Assignment of all or any Part of his or her Estate and Effects, in Trust or otherwise, for the Benefit of any particular Creditor or Creditors, with Intent to give any undue Preference to such Creditor or Creditors, and afterwards to obtain a discharge from the Demands of any other Creditor or Creditors, by Virtue of this Act, such Prisoner shall have no Benefit of this Act, unless such Person or Persons, for whose Benefit any such Conveyance or Assignment shall have been made, shall first relinquish the same, and all such Part of such Estate and Effects, as shall be situated within the Isle of Man, shall be conveyed and delivered to the Clerk of the Rolls, for the Benefit of all the Creditors against whose Demands such Prisoner seeks to be discharged, under the Provisions of this Act, or unless all the Creditors against whom such discharge shall be sought, shall Consent thereto.

23. Provided always, and be it further enacted, That this Act shall not extend, or be construed to extend, to discharge any Prisoner seeking the Benefit of this Act, with respect to any Debt, Fine, or Penalty, with which he or she shall stand charged at the

false Pre-  
tences.

Nor for Rent,  
if Effects  
removed.

Unless five  
Years in  
Custody.

Nor Prisoner  
who may  
have fixed  
his Bail.

Nor for Debt  
incurred by  
Damages for  
Crim. Con.  
or malicious  
Injury, un-  
less five  
Years in  
Custody.

Debtor mak-  
ing fraudu-  
lent Assign-  
ment, not  
intitled to  
Benefit of  
Act.

Persons  
squandering  
Property by  
Gaming, not  
intitled to  
Benefit of  
Act, unless  
five Years in  
Custody.

Persons im-  
prisoned for

Debts due to the Crown not intitled to Benefit unless Commissioners of the Treasury consent.

Persons not intitled to Benefit of Act a second Time within five Years.

Discharge void if obtained fraudulently.

Persons discharged, in case of future Ability, to make good Deficiency on Application to Court.

Vexatious Application to be dismissed with

Suit of the Crown, or of any Person for any Offence committed against any Act or Acts of the Parliament of the United Kingdom of Great Britain and Ireland, relative to His Majesty's Revenues of Customs, Excise, or Salt Duties, or any of them, or any Branches of the said public Revenue, unless three of the Lords Commissioners of His Majesty's Treasury, for the Time being, shall certify under their Hands, their Consent to the discharge of such Prisoner, upon the Terms and Conditions prescribed by this Act.

24. Provided always, and be it further enacted, That no Person who shall have been at any Time discharged by Virtue of this Act, shall again be intitled to the Benefit thereof, within the Space of five Years after such discharge, unless Three-fourths in Number and Value of the Creditors against whom such Person shall seek to be discharged, by Virtue of this Act, shall signify his, her, or their Assent to such discharge, or it shall be made appear to the Satisfaction of the said Court, that such Person has since his or her former discharge endeavoured, by Industry and Frugality, to pay all just Demands upon him or her, and has incurred no unnecessary Expence, and that the Debts which such Person has incurred, subsequent to such former discharge, have been necessarily incurred for the Maintenance of such Person, or his or her Family, or that the Insolvency of such Person has arisen from Misfortune or from Inability to acquire Subsistence for himself or herself, and his and her Family, or from Debts incurred prior to such former discharge, to which such discharge did not extend, or from Debts incurred subsequent to such discharge, in consequence of Engagements entered into or Acts done prior to such discharge.

25. Provided always, and be it further enacted, That in Case any Creditor against whom any Prisoner shall have obtained his or her discharge, by Virtue of this Act, shall apply to the said Court to avoid such discharge as improperly obtained, and upon such Application it shall appear to the Satisfaction of the Court, that such Prisoner has acted in any Manner fraudulently in obtaining such discharge, or has wilfully concealed any of his or her Estate or Effects, by not specifying or not properly specifying the same in such Schedule as aforesaid, for the Purpose of depriving the Creditors, against whom he shall have obtained such discharge, of the Benefit thereof, it shall be lawful for such Court to declare the discharge so obtained by such Prisoner null and void; and it shall thereupon be lawful for any Creditor or Creditors of such Prisoner, against whom such discharge shall have been obtained, to proceed against such Prisoner as if such discharge had not been obtained, such Creditor or Creditors relinquishing all Benefit of the Assignment of the Estate or Effects of such Prisoner, which shall remain unapplied by the Clerk of the Rolls: And any of such Creditors who shall have detained such Prisoner in Custody at the Time of such discharge, shall be at Liberty to apply to such Court to remand such Prisoner accordingly by Warrant, under the directions of the said Court, which Warrant shall be executed by an Officer of the said Court, to be appointed for the Purpose, and shall be a sufficient Authority for the Arrest and Detention of such Prisoner upon the Process from which such Prisoner was before discharged; and so much, if any, of the Estate or Effects of such Prisoner as shall then remain in the Hands of the Clerk of the Rolls, after paying all just Charges and Expences, shall be re-conveyed or re-assigned or paid to such Prisoner as the said Court shall direct, but so much of such Estate and Effects as shall have been before applied in Payment of the Debts of such Prisoner, shall be retained by the Creditors who shall have received the same in Part of their respective Demands.

26. And be it further enacted by the Authority aforesaid, That in Case any Prisoner who shall have been discharged by Virtue of this Act, shall become able to pay all or any Part of the Debts due from him or her, and against which he or she shall have obtained such discharge, after a reasonable Allowance for the Maintenance of such Debtor and his or her Family, and Payment of his or her Debts, contracted after such discharge, or to which such discharge did not extend, it shall and may be lawful for any Creditor or Creditors against whom he or she shall have obtained such discharge, to apply to the Court for Liberty to proceed against such Debtor, notwithstanding such discharge. And in case it shall appear to the Satisfaction of such Court that such Debtor is of Ability to pay such Demand or any Part thereof, it shall be lawful for such Court to revoke such discharge, either wholly or upon Payment of such Sum or Sums of Money, for the Benefit of the Persons against whom such discharge shall have been obtained, either in gross or by several Payments, as to such Court shall appear reasonable, or to permit Execution to be taken out on the Judgment entered up in such Court upon the Engagement of such Prisoner for such Sum of Money as the said Court shall think fit, to be distributed rateably amongst the Creditors intitled under such Engagements, and such Proceedings shall and may be had according to the discretion of the said Court from Time to Time, until the Whole of the Debts due to the several Persons, against whom such discharge shall have been obtained, shall be fully paid and satisfied, together with such Costs as such Court shall think fit to award; provided always, that in case any such Application shall appear to the Court to be ill-founded and vexatious, it shall be lawful for the Court not only to refuse to make any Order on such Application, but also to dismiss the same with such Costs as to the Court shall appear reasonable.

27. And be it further enacted by the Authority aforesaid, That in all Cases in respect to which no special directions are given by this Act, it shall and may be lawful for the said Court to give such Directions and Orders as to such Court may appear to be just and reasonable in furtherance of this Act.

28. And be it further enacted, That this Act shall continue in Force for the Space or Term of two Years from the Promulgation thereof and no longer, save and except as to all Cases which shall have been determined under the same before the said Term of two Years shall be expired; and also save and except as to all such Cases as shall be commenced under the said Act, and shall be depending and not determined before the Expiration of the said two Years, respecting which Cases so determined or so depending this Act is declared to continue in Force

Act to remain in Force two Years from Promulgation.

John F. Crellin, Deemster.

C. Smelt, Lieut.-Governor.  
William Scott.  
John Cosnahan.  
W. Frankland.  
Thomas Stowell.  
Thomas Stephen.

#### The Keys.

Thomas Gawne,  
William Cuninghame,  
Edward Gawne,  
W. Fitzsimmons,  
John Hughes,  
Thomas Corlett,  
Thomas Harrison,  
John Caesar Gelling,

Robert Banks,  
John Quane,  
John Llewellyn,  
Robert Farrant,  
Robert Quayle,  
John Gelling,  
Edward Cotteen.

*At the Court at Carlton House the 7th March 1814.*

#### PRESENT :

His Royal Highness the Prince Regent,  
His Royal Highness the Duke of York,  
Lord Chancellor, Earl of Liverpool,  
Lord President, Viscount Sidmouth,  
Lord Chamberlain, Colonel McMahon.

Whereas there was this day read at the Board a report from a Committee of the Lords of His Majesty's Most Honorable Privy Council, Dated the 22nd of last month in the words following, viz. :—

"Your Royal Highness having been pleased by your order in Council of the 4th of this instant, in the name and on the behalf of His Majesty to refer unto this Committee a letter from the Right Honorable Viscount Sidmouth one of His Majesty's principal Secretaries of State to the Lord President of the Council transmitting Copy of a Letter from the Lieutenant Governor of the Isle of Man forwarding two acts passed by the Legislature of the said Isle, intituled as follows :—

1. "An act for affording relief to Insolvent Debtors in the Isle of Man."
2. "An act for the more easy recovery of Debts contracted out of the Limits of the Isle of Man."

The Lords of the Committee in obedience to Your Royal Highness's said order of reference having taken the said Letters and acts into Consideration, and do agree humbly to lay the said acts before your Royal Highness for your Royal Highness's confirmation in the name and on behalf of His Majesty."

His Royal Highness the Prince Regent having taken the said Report into consideration was pleased in the name and on the behalf of His Majesty and by and with the advice of His Majesty's Privy Council to approve thereof and to order as it is hereby ordered that the said acts be and the same are hereby confirmed. And the Right Honorable Viscount Sidmouth one of His Majesty's Principal Secretaries of State is to take the necessary measures herein accordingly.

CHERTWYD.

Sir,

Whitehall, 8th March 1814.

Having transmitted to the Lord President to be submitted to His Royal Highness The Prince Regent in Council, the following acts of Legislature of the Isle of Man, viz. :—

"An act for affording relief to Insolvent Debtors in the Isle of Man" and "An act for the more easy recovery of debts contracted out of the limits of the Isle of Man."

I now transmit for your information and guidance in absence of the Duke of Atholl an order of His Royal Highness the Prince Regent in Council dated the 7th Instant containing the Royal Approbation & confirmation of the Acts in Question which are herewith returned.

I am

Sir

Your most Obedient humble Servant  
SIDMOUTH.

Lieutenant Governor Smelt  
Isle of Man.

*At a Tynwald Court, holden at St. John's Chapel, the 24th Day of March, in the Year of our Lord 1814.*

The before written Act of Tynwald, intituled, "An Act for affording Relief to Insolvent Debtors in the Isle of Man," having received the Royal Assent, as signified by the Order of His Royal Highness the Prince Regent in Council, given at the Court at Carlton House, the 7th of March, 1814, and transmitted by the Right Hon. Viscount Sidmouth, one of His Majesty's Principal Secretaries of State, in a Letter addressed to the Lieut.-Governor of this Island, bearing Date the 8th of March, 1814, the said Act was this Day promulgated on the Tynwald Hill, in the usual Form, as witness our Subscriptions:

C. Smelt, Lieut.-Governor.  
William Scott.  
Thomas Stowell.  
Thomas Gawne.  
Daniel Mylrea.  
Thomas Stephen.

John F. Crellin, Deemster.

The Keys.

Robert Farrant,  
John Gelling,  
Thomas Corlett,  
John Quane,  
Thomas Harrison,  
Robert Banks,  
Edward Cotteen,  
John Llewellyn,

William Fitzsimmons,  
John Moore,  
William Cuninghame,  
John Hughes,  
Edward Gawne,  
Robert Quayle,  
Wm. L. Drinkwater,  
John Caesar Gelling.

ISLE OF MAN, to wit.

*At a Tynwald Court holden at Castle Rushen, the 5th Day of July, in the fifty-fifth Year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord one thousand eight hundred and fifteen, before the Honourable Cornelius Smelt, Lieutenant Governor, the Council, Deemsters, and Keys of the said Isle:*

An Act for continuing until the tenth Day of October, one thousand eight hundred and seventeen, an Act of Tynwald, passed in the fifty-third Year of His Majesty's Reign, for the better making and repairing of Highways and Bridges in the said Isle.<sup>1</sup>

Act of 53d  
Geo. III. to  
be continued  
to 10th Oc-  
tober, 1817.

Whereas an Act of Tynwald was passed in the fifty-third Year of His Majesty's Reign, intituled "An Act for the better making, repairing, and amending of Highways and Bridges," to continue in Force until the tenth Day of October, one thousand eight hundred and fifteen, and whereas it is expedient that the said Act of Tynwald should be continued in Manner hereinafter mentioned, We, therefore, your Majesty's most dutiful and loyal Subjects, the Lieut.-Governor, Council, Deemsters, and Keys of the said Isle of Man, do humbly beseech your Majesty, that it may be enacted, and be it enacted by the King's

<sup>1</sup> Renewed for two years by Act of 1817, and expired 10th October 1819.

Most Excellent Majesty, by and with the Advice and Consent of the Lieutenant Governor, Council, Deemsters, and Keys of the said Isle in Tynwald assembled, and by the Authority of the same, that the said recited Act of Tynwald shall be and the same is hereby continued, and shall be in Force until the tenth Day of October, which will be in the Year of our Lord one thousand eight hundred and seventeen.

John F. Crellin, }  
Norris Moore, } Deemsters.

C. Smelt, Lieut.-Governor.  
G. Sodor and Man.  
William Scott.  
John Cosnahan.  
Thomas Stowell.  
Thomas Gawne.  
Daniel Mylrea.  
Thomas Stephen.

**The Keys.**

John Taubman,  
John Moore,  
John Caesar Gelling,  
John Hughes,  
Robert Farrant,  
George Quayle,  
John Llewellyn,

William Cuninghame,  
Edward Cotteen,  
J. Cumming,  
John Gelling,  
Thomas Corlett,  
William Fitzsimmons,  
Robert Quayle.

*At the Court at Carlton House the 17th August 1815.*

**PRESENT.**

His Royal Highness the Prince Regent in Council.

Whereas there was this day read at the Board a Report from a Committee of the Lords of His Majesty's most Honorable Privy Council dated the 10th of this Instant in the words following viz. :

"Your Royal Highness having been pleased by your order in Council of the 20th ultimo. in the name and on the behalf of His Majesty to refer unto the Committee  
"a letter from the Right Honorable Viscount Sidmouth one of His Majesty's  
"Principal Secretaries of State to the Lord President of the Council transmitting  
"an act passed by the Legislature of the Isle of Man entitled as follows viz. :  
"An act for continuing until the tenth day of October 1817 an act of Tynwald passed  
"in the 53rd year of His Majesty's Reign for the better making and repairing of  
"Highways and Bridges in the said Isle."

The Lords of the Committee in obedience to Your Royal Highness's said order of reference have taken the said Letter and act into consideration and do agree humbly to lay the said act before Your Royal Highness as proper to receive Your Royal Highness's Confirmation in the name and on the behalf of His Majesty. His Royal Highness the Prince Regent having taken the said Report into consideration was pleased in the name and on the behalf of His Majesty and by and with the advice of His Majesty's Privy Council to approve thereof and to order as it is hereby ordered, that the said act be and it is hereby confirmed, And the Right Honourable Viscount Sidmouth one of His Majesty's Principal Secretaries of State is to take the necessary measures herein accordingly.

**CERTIFIED.**

*At a Tynwald Court, holden at St. John's Chapel, the 14th Day of September, 1815.*

The before written Act of Tynwald, intituled, "An Act for continuing until the 10th Day of October, 1817, an Act of Tynwald passed in the 53d Year of His Majesty's Reign, for the better making and repairing of Highways and Bridges in the said Isle," having received the Royal Assent, as signified by the Order of His Royal Highness the Prince Regent in Council, given at the Court at Carlton House, the 17th Day of August, 1815, and transmitted by the Right Honourable Viscount Sidmouth, one of His Majesty's Principal Secretaries of State, in a Letter addressed to the Lieutenant Governor of this Island, dated 24th August, 1815, the said Act was this Day promulgated on the Tynwald Hill in usual Form, as witness our Subscriptions :

Norris Moore, Deemster.

C. Smelt.  
G. Sodor and Man.  
William Scott.  
Thomas Stowell.  
Thomas Gawne.  
Daniel Mylrea.  
Thomas Cubbon.  
T. Stephen.

#### The Keys

John Taubman,  
John Corlet,  
Wm. Fitzsimmons,  
John Moore,  
John Cæsar Gelling,  
Wm. Cuninghame,  
John Hughes,  
Thomas Mylrea,

Calcott Heywood,  
Wm. Leece Drinkwater,  
John Llewellyn,  
George Quayle,  
Edward Gawne,  
Robert Quayle,  
John Gelling,  
Thomas Harrison.

#### ISLE OF MAN, to wit.

*At a Tynwald Court holden at Castle Rushen, the 21st Day of May, in the fifty-seventh Year of our Sovereign Lord George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord one thousand eight hundred and seventeen, before the Honourable Cornelius Smelt, Lieutenant Governor, the Council, Deemsters, and Keys of the said Isle.*

### CHAPTER I.

#### An Act for altering and amending the Criminal Law of the said Isle.<sup>1</sup>

**Act of 1737  
not to extend  
to Treason  
or Felony,  
at Common  
Law.**

Whereas by an Act of Tynwald, promulgated in the Year of our Lord one thousand seven hundred and thirty-seven, it is enacted, "That no Court, Judge, or Magistrate within this Isle whatsoever, shall have Power or Authority for the Future, to impose or inflict any Fines or Punishment upon any Person or Persons within the said Isle, for or on Account of any Criminal Cause whatsoever, until he, she, or they be first convicted by the Verdict or Presentment of four, six, or more Men, as the Case shall require, upon some Statute Law in force in the said Isle." And whereas Doubts may be entertained, whether such Act of Tynwald extends to Treasons and Felonies at and by the Common Law of the Island, or only to other smaller Crimes, Offences, and Misdemeanors; We, therefore, your Majesty's most dutiful and loyal Subjects, the Lieutenant Governor, Council, Deemsters, and Keys of the said Isle, do humbly beseech your Majesty, that it may be enacted, and be it enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lieutenant Governor, Council, Deemsters, and Keys of the said Isle, in Tynwald assembled, and by the Authority of the same, That the said Act of Tynwald shall not be construed to extend to any Treason or Felony which subsists at, by, or under the Common Law of the said Isle.

**Compassing  
King or  
Queen's  
Death.  
Violating  
King's Com-  
panion, &c.**

And whereas it is expedient that certain Treasons, Felonies, Misdemeanors, Crimes, and Offences should be described with greater Certainty than has hitherto been done by the Laws of the said Isle, and that certain other Crimes and Offences should be enacted and declared to be Treasons, Felonies, and Misdemeanors; be it therefore further enacted, by the Authority aforesaid, as follows:—

I.—That the felonious and traitorous compassing or imagining the Death of our Sovereign Lord the King, of our Lady the Queen, or of their eldest Son and Heir, is and shall be held to be High Treason, and punishable by Death.

II.—That the felonious and traitorous Violation of the King's Companion, or King's eldest Daughter unmarried, or the Wife of the King's eldest Son and Heir, is and shall be held to be High Treason, and punishable by Death.

<sup>1</sup> Amended by Acts of 1832, 1836, and 1852, repealed by Criminal Code of 1872.

III.—That the felonious and traitorous levying War against our Sovereign Lord the King in his Realm, is and shall be held to be High Treason, and punishable by Death.

IV.—That the felonious and traitorous adhering to the King's Enemies in his Realm, the giving them Aid and Comfort in the Realm and Elsewhere, is and shall be held to be High Treason, and punishable by Death.

V.—That the felonious and traitorous counterfeiting the King's Great Seal, or Privy Seal, or his Sign Manual, or Privy Signet, is and shall be held to be High Treason, and punishable by Death.

VI.—That the felonious and traitorous making and counterfeiting the King's Money, or the bringing false Money into the said Isle, counterfeit to the King's Coin, knowing such Money to be false, to Merchandize and making Payment withal, is and shall be held to be High Treason, and punishable by Death.<sup>1</sup>

VII.—That the felonious and traitorous slaying the King's Governor, the King's Lieutenant Governor, the Members of the Council, or any of them, the Deemsters, or either of them, the Keys, or any of them, being in their Places, during their Offices, is and shall be held to be High Treason, and punishable by Death.

And be it further enacted by the Authority aforesaid, That Nothing shall be adjudged to be High Treason in the said Isle, but what is and by this Act enacted, declared, and described to be High Treason; and that no Person or Persons shall be attainted of any of the Treasons enacted, declared, and described by this Act, except on some open and overt Act and Deed charged against him, her, or them.

VIII.—That the unlawful and felonious killing another with Malice aforethought, either express or implied, is and shall be held to be Felony and Murder, and punishable by Death.

IX.—That the felonious Ravishment and carnal Knowledge of a Woman against her Will, is and shall be held to be Felony and Rape, and punishable by Death.<sup>2</sup>

X.—That the unlawful and felonious Ravishment and carnal Knowledge of a female Child, under the Age of ten Years, either with or without her Consent, is and shall be held to be Felony and Rape, and punishable by Death.<sup>2</sup>

XI.—That the felonious and carnal Knowledge against the Order of Nature, by Mankind with Mankind, or with Brute Beast, is and shall be held to be Felony and Buggery, and punishable by Death.<sup>2</sup>

XII.—That the felonious breaking and entering into the Dwelling House of another by Night, with intent to commit a Felony, any Person or Persons being then inhabiting in such House, is and shall be held to be Felony and Burglary, and punishable by Death.<sup>2</sup>

XIII.—That the felonious, wilful, and malicious burning of the House, Mill, Out-house, Office, Barn, Stable, Ship, Boat, or Vessel of another, any Person or Persons being then in any such Building, Ship, Boat, or Vessel, other than the Perpetrator or Perpetrators of such burning, or the aiding and assisting therein, is and shall be held to be Felony and Arson, and punishable by Death; and that the felonious, wilful, and malicious burning of any Stack of Corn, Stack of Hay, Stack of Straw, Stack of Furze, Stack of Turf, Stack of Ling, Stack of Fern, Stack of Wood, or Stack of Potatoes Haulm, any such Stacks being adjoining to any House, Out-house, Office, Barn, or Stable, in any of which Buildings any Person or Persons shall then be, other than the Perpetrator or Perpetrators of such burning, or the aiding and assisting therein, is and shall be held to be Felony and Arson, and punishable by Death.<sup>1</sup>

XIV.—That the felonious and forcible stealing, taking, and carrying away from the Person of another, of Goods, Money, or other personal Property, of any Value whatever, by violence, or putting such Person in fear, is and shall be held to be Felony and Robbery, and punishable by Death.<sup>2</sup>

XV.—That the felonious returning from Transportation, or the being seen at large within the said Isle, without lawful Cause, before the Expiration of the Term for which the Offender was ordered to be transported, or had agreed to abjure the Island, or transport himself or herself, is and shall be held to be Felony and punishable by Death.<sup>2</sup>

XVI.—That the felonious and false making, forging, counterfeiting, or altering, or causing or procuring to be falsely made, forged, counterfeited, or altered; or the willingly acting or assisting in the false making, forging, counterfeiting, or altering, any Act of Tynwald, or any Decree, Judgment, or Execution, or any Record or Process of any of the Courts of the said Isle; or any Verdict of any Jury, or Deposition of any Witness, duly taken and signed by or before any Court, Magistrate, or Jury within the said Isle; or any Deed, Charter, Writing, Sealed Court Roll, Will, Writing Testamentary, Bond, Writing Obligatory, Memorial of the Inrolment or Registration of any Deed or Will, Bill of Exchange, Promissory Note for the Payment of Money, Indorsement, Assignment, or

Levying War  
against King.

Adhering to  
his Enemies.

Counterfeit-  
ing Great  
Seal, &c.

Coining.

Slaying  
Governor,  
Council, &c.

Murder.

Rape.

Rape under  
the Age of 10  
Years.

Sodomy.

Burglary.

Arson.

Robbery.

Returning  
from Trans-  
portation.

Forgery.

<sup>1</sup> Repealed by Act of 1832.

<sup>2</sup> Punishment altered by Act of 1852.



heard without Notice to them.

Prisoner not discharged from Debt of Persons not noticed.

How remedied.

Prisoner to be brought up and examined.

Creditors may oppose.

Prisoner may be remanded if his Answers not satisfactory.

Assignment to Clerk of the Rolls of Prisoner's Estate.

Engagement to pay Balance if able at any future Period.

standing such Defect in the Service thereof; but in such Case such Prisoner shall not be in any Manner discharged from the Demands of the Person or Persons who shall not be so served, unless such Person or Persons shall appear before the said Court and oppose the Discharge of such Prisoner, or Consent to the Proceeding of the Court, notwithstanding any such Defect of Service.

5. Provided also, and be it further enacted, That in case of any Defect in the Service of such Petition, Schedule, Oath, or Order, it shall be lawful for the said Court, from Time to Time, to allow further Time for such Purpose, and to make an Order or Orders for adjourning the Hearing of the Matter of the said Petition, in the Whole, or with respect to any particular Person or Persons, to give Opportunity for such Service: and in case the said Petition, Schedule, Oath, and original Order, together with such further Order or Orders, shall be duly served, according to the Provisions of this Act on the Person or Persons not before duly served, twenty Days before the Day appointed for Hearing the Matter of the said Petition on any such further Order, it shall be lawful for the said Court to proceed on such Service as the said Court might have done, if the said Petition, Schedule, Oath, and original Order had been duly served, according to the Provisions before contained in this Act.

6. And be it further enacted, That upon the Day appointed by the said Court for the Hearing the Matter of the said Petition, or upon such subsequent Day as the said Court shall appoint for such Purpose, the said Court shall cause such Prisoner to be brought before the said Court to be examined, touching the Truth of the Matter contained in the said Petition and Schedule; and any of the Creditors of such Prisoner, and any of the Persons named and described in such Schedule, as claiming to be Creditors of any such Prisoner, and any Person or Persons not named and described in such Schedule, who shall claim to be a Creditor or Creditors of such Prisoner, shall be at Liberty to oppose such Petition, and for that Purpose to put such Questions to such Prisoner as the Court shall think fit, touching the Matters contained in such Petition and Schedule, and touching such other Matters as the Court shall be of Opinion it may be proper and fit that such Questions should be put for the due Execution of this Act; and such Prisoner shall answer all such Questions upon Oath; and in case such Prisoner shall not so answer all such Questions to the Satisfaction of the said Court, or in case it shall be made appear to the Satisfaction of the said Court, from such Answers as shall be given by such Prisoner or by Evidence, that such Prisoner is not intitled to the Benefit of this Act, then, and in such Case, such Court shall so declare and shall remand such Prisoner to Custody: Provided always, that in case such Court shall entertain any Doubt, touching any Matter alleged against such Prisoner, to prevent his or her Discharge or touching the Examination of such Prisoner, it shall be lawful for such Court to remand such Prisoner to Custody, and afterwards to cause such Prisoner to be again brought up for Examination as often as to such Court shall seem fit.

7. And be it further enacted, That in case any Person or Persons, claiming to be a Creditor or Creditors of any Prisoner, shall oppose the Petition of such Prisoner for his or her Discharge, such Person or Persons, although not duly served with such Petition, Schedule, Oath, or Order, as aforesaid, shall be considered as having had due Notice thereof, and the Name or the Names of such Person or Persons shall be added to the said Schedule by the said Court, either as Creditor or Creditors, or as claiming to be a Creditor or Creditors of such Prisoner.

8. And be it further enacted, That in case the said Court shall be of Opinion that such Prisoner is intitled to the Benefit of this Act, then, and in such Case, the said Court shall so order and adjudge, and shall in such Order, specify the several Creditors and Persons claiming to be Creditors of such Prisoner, who shall appear to have been duly served with Notice of such Proceedings, or who shall have appeared before the said Court, and opposed the Discharge of such Prisoner, or consented to the Proceedings of the Court with respect to their Demands, notwithstanding any Defect of Service of such Notice; and the said Court shall, in such Order, also specify the several Persons against whose Demands such Prisoner shall be deemed by such Court intitled to be discharged by Virtue of this Act: and such Court shall order and direct such Prisoner to convey, assign, and deliver up to the Clerk of the Rolls, for the Time being, all such Part of the Estates and Effects of such Prisoner as shall be situated within the Isle of Man, for the Purposes of this Act; together with an Engagement to be executed by such Prisoner, to pay so much of the just Debts and Demands of the several Persons against whom such Prisoner shall, by such Court, be adjudged to be intitled to the Benefit of this Act, as shall not be paid out of such Part of such Estate and Effects, so to be conveyed and assigned, as aforesaid, by such Prisoner for such Purpose, or out of such other Estate and Effects as may not be situated within the Isle of Man, in Manner hereinafter mentioned, in case he or she shall, at any Time thereafter, be enabled to pay such Debts and Demands, or to pay such Part or Parts thereof as he or she shall be able, at any Time, to pay from and out of any future Estate or Effects, which he or she may become possessed of within the said Isle; and shall also order all Books, Papers, and Writings, in the Custody or Power of such Prisoner, relating to such Part of the Estate and Effects of such Prisoner as may be situated in the said Isle, and the Demands

of his or her Creditors therein to be delivered, on Oath, to the Clerk of the Rolls; and as to all such other Part of the Estate and Effects of such Prisoner as shall not be situated within the Isle of Man, the said Court shall order and direct that such Prisoner shall execute a sufficient Engagement, by Bond or otherwise, for the Payment and making good of any Deficiency which may arise after the Distribution of such Part of his or her Estate and Effects as shall be situated within the Isle of Man, and as shall have been so conveyed and assigned for the Purposes aforesaid, out of such other Part of his or her Estate and Effects as shall not be situated within the said Isle, and out of any other future Estate and Effects which he or she may, at any Time thereafter, possess out of the said Isle; and the said Court shall further order and direct, that such Prisoner shall execute a sufficient Power or Powers of Attorney, authorising any Person or Persons whom the Court shall appoint, to enter up a Judgment or Judgments against such Prisoner in any of the superior Courts of Great Britain, Ireland, or of any other Country or Place, as the said Court shall direct, at the Suit of any Person or Persons whom the said Court shall appoint, in an Action or Actions of Debt, on Bond, or otherwise, for the Amount of such Deficiency, as nearly as the same can be calculated; which shall be in Trust for the Benefit of the Creditor or Creditors of every such Prisoner against whom such Prisoner shall have obtained his or her Discharge, by Virtue of this Act, and shall be applied and distributed under the Order of the said Court. Provided always, that if any Overplus shall remain from the Sum or Sums of Money recovered on such Judgment or Judgments as aforesaid, after the full Payment of what may remain due to such Creditors as aforesaid, together with all the Costs and Charges of such Proceedings, the same shall be returned to such Prisoner under the Directions of the said Court; and upon due Execution of all such Conveyances, Assignments, Engagements, Bonds, and Powers of Attorney, and delivery of such Books, Papers, and Writings as aforesaid, as such Court shall direct, such Court shall order such Prisoner to be discharged from Custody, and Judgment shall thereupon be entered in such Court against such Prisoner, in Pursuance of such Engagements as aforesaid, which Judgment shall and may, if the Court shall so order, be executed against all such future Estate and Effects of such Prisoner, as he or she shall at any Time thereafter possess within the Isle of Man, in such Manner as the said Court shall direct, and shall bind the Assets of such Prisoner, real and personal, in the Hands of his Heirs, Executors, and Administrators, for the full Amount of the Debts and Demands aforesaid, which shall remain unsatisfied, or so much of such Debts and Demands as the Court shall be of Opinion ought to be satisfied; and Execution shall be had upon such Judgments in such and the same Manner as Execution may be had upon any other Judgments of any of the Courts of Law or Equity within the Isle, nevertheless, according to the Orders of the said Court by Virtue of this Act, and in Conformity to the Provisions in this Act contained.

9. And be it further enacted, That all such Property, Goods, and Effects, of such Prisoner, so conveyed, assigned, and delivered to the Clerk of the Rolls, shall be, by the proper Coroner, appraised, published, and sold, in such and the like Manner and Form as other Goods taken in Pawn or Execution under Judgments, are by the Laws of the said Isle appraised, published, and sold; and the said Coroner shall be intitled to the like Poundage and Fees upon the Sales of the same as upon the Sales of other Goods taken in Pawn or Execution as aforesaid; and the said Coroner shall, with all convenient Speed, deposit and lodge the nett Proceeds thereof in the Rolls Office, together with a full, true, and particular Return of all his Proceedings therein, to be filed with the Petition of such Debtor, and the Clerk of the Rolls shall, within one Month after such Proceeds are so lodged in the Rolls Office, proceed and make a fair and equal Distribution of such Prisoner's Estate and Effects, to and amongst the Creditors of such Prisoner, rateably and proportionably with their respective Demands; for all which the Clerk of the Rolls shall be intitled to charge a fair Compensation for his Trouble, subject nevertheless to the Controul of the said Court.

10. And be it further enacted, That all and every Person who shall at any Time after the presenting of any such Petition and Schedule, voluntarily come and make Discovery of any Part of such Prisoner's Estate, not specified in the said Schedule, and not before come to the Knowledge of the said Court, shall be allowed five Pounds per Centum, and such further and other Reward as the major Part in Value of the Creditors of such Prisoner, present at any Meeting of the said Creditors, shall think fit to be paid by the Clerk of the Rolls, out of the nett Proceeds of such Prisoner's Estate which shall be recovered on such Discovery.

11. And be it further enacted, That all and every Person and Persons, who hath or have accepted, or shall accept any Trust or Trusts, or shall be possessed of and wilfully conceal or protect any Estate, real or personal, of any Prisoner who shall be discharged under the Authority of this Act, and knowing such Discharge, shall not, within the Space of six Calendar Months, after such Discharge, disclose such Trust and Estate, in Writing, either to the Clerk of the Rolls, or to the said Court, and submit himself, herself, and themselves, to be examined touching the same, upon Oath, before the said Court, and truly discover and disclose the same and all the Particulars thereof, shall forfeit any Sum not less than five Pounds, nor more than one hundred Pounds, to and for the Use

Bond for  
deficiency to  
be executed.

Overplus  
Money if any  
to be paid to  
Prisoner.

Prisoner's  
Estate as-  
signed to be  
appraised  
and sold by  
Coroner.

Distribution  
to be made.

Clerk of  
Rolls to have  
Compensa-  
tion for  
Trouble.

£5 per Cent.  
for Discovery  
of Prisoner's  
Property.

Penalty for  
concealing  
Property of  
Prisoner.

- Affray in Court.** XXXI.—That the malicious striking and making Affray in any of the Courts of Justice of the Island; or the using threatening and reproachful Words to the Judge or Court, the Judge or Court being then sitting, is and shall be held to be a Misdemeanor, and punishable by Fine and Imprisonment.
- Obstructing Officer.** XXXII.—That the wilfully obstructing any Officer or other Person in the Execution of lawful Process; or the wilful Forbearance and Neglect of any Coroner, Constable, or other Officer to execute any Writ, Process, Warrant, or other legal Instrument, lodged in his Hands for the Purpose of being duly executed; that the breaking Prison by a Person lawfully imprisoned; that the forcible rescuing or attempting to Rescue a Person who shall be lawfully imprisoned; that the escaping or attempting to Escape by a Person lawfully arrested; that the voluntarily permitting or negligently suffering a Person to escape, who shall have been lawfully arrested or confined; or the wilfully permitting, by any Coroner, Constable, or other Officer, of any Person or Persons to be at large, when such Person or Persons may and ought to be arrested and taken by such Coroner, Constable, or other Officer, are and shall be severally held to be Misdemeanors, punishable by Fine and Imprisonment. Provided always, and be it further enacted and declared, that Nothing herein contained shall extend, or be construed to extend, to affect, abridge, or alter the Power of Courts of Justice, and Magistrates, to punish Contempts as formerly accustomed; and that the House of Keys, the Clerk of the Rolls, and the Registers of the Ecclesiastical Courts, when in the Execution of their respective Offices, have and shall have the Power of punishing Contempts in like Manner as any Court or Magistrate within the said Isle.
- Breaking Prison, Escaping, &c.** XXXIII.—That the receiving of stolen Goods, knowing them to have been stolen under the Value of ten Shillings, is and shall be held to be a Misdemeanor, and punishable by Fine and Imprisonment, with or without Corporal Punishment, at the Discretion of the Court.
- Courts may Punish for Contempt.** XXXIV.—That the compounding any Treason, Felony, or Misdemeanor, or the taking Money or Goods from a Person accused of any Crime, to forbear to prosecute, is and shall be held to be a Misdemeanor, and punishable by Fine and Imprisonment, with or without Corporal Punishment, at the Discretion of the Court; and that so much or such Part of an Act of Tynwald, promulgated in the Year of our Lord one thousand seven hundred and thirty seven, as regards the compounding or agreeing not to proceed in any Criminal Prosecution, shall, as to all Offences to be committed after the Promulgation of this Act, be and stand repealed.
- Receiving stolen Goods.** XXXV.—That the bribing, or attempting to bribe, any Magistrate, or Person connected in the Administration of Justice, to do any Thing contrary to the Duties of his Office; or for any Magistrate or Person concerned in the Administration of Justice; or for any Gaoler, Coroner, Constable, or other Officer, directly or indirectly, to accept, or offer to accept, any Bribe, Reward, Present, or Gratuity, to do any Thing contrary to the Duty of his Office, or for the forbearance of doing his Duty, is and shall be held to be a high Misdemeanor, punishable by Fine and Imprisonment, and Disqualification to serve his Majesty in any Place of public Trust, and with or without Corporal Punishment, at the Discretion of the Court.
- Compound- ing Felony, &c.** XXXVI.—That the attempting to influence a Jury, or any of the Jurors, corruptly, by Promises, Persuasions, Entreaties, Money, Entertainment, or the like; or for the Jury or any of the Jurors to be so corruptly influenced, is and shall be held to be a Misdemeanor, and punishable by Fine and Imprisonment.
- Bribery.** XXXVII.—That the stirring up Suits and Quarrels between his Majesty's Subjects, either by Law or otherwise, is and shall be held to be a Misdemeanor and Barratry, and punishable by Fine and Imprisonment.
- Influencing Jury.** XXXVIII.—That the assembling of three Persons or more together, with an Intent mutually to assist one another against any who shall oppose them in the Execution of some Enterprize of a private Nature, with Force and Violence against the Peace, or to the manifest Terror of the People, whether the Act intended were of itself lawful or not, such assembling is and shall be held to be an unlawful Assembly, and the Persons concerned shall be punishable as for a Misdemeanor, by Fine and Imprisonment; and if three Persons or more shall violently, riotously, and in a tumultuous Manner, against the public Peace, and to the manifest Terror of the People, do any Act, whether lawful or unlawful, such Persons are and shall be held to be guilty of a Riot, and shall be punishable as for a Misdemeanor, by Fine and Imprisonment.
- Barratry.** XXXIX.—That the violent entering into the Possession of Lands or Tenements, in the Occupation of another, with Menaces and Force, without Authority of Law, is and shall be held to be a forcible Entry and Misdemeanor, punishable by Fine and Imprisonment.
- Unlawful Assembly.** XL.—That the unlawful keeping Possession of Lands or Tenements, by Menaces and Force, is and shall be held to be a forcible Detainer and a Misdemeanor, and punishable by Fine and Imprisonment.
- Forcible Entry.** XLI.—That the spreading of false News, knowing the same to be false, with Intent to produce Discord and Tumults, and Strife between his Majesty's Subjects, shall be held to be a Misdemeanor, and punishable by Fine and Imprisonment.
- Forcible Possession.**
- Spreading false News.**

XLII.—That the challenging another by Word or Letter, to fight with deadly Weapons, Challenge. either expressed or implied ; or knowingly to be the Bearer of such Challenge, shall be held to be a Misdemeanor, and punishable by Fine and Imprisonment.

XLIII.—That the assaulting another with Intent to commit Murder, Rape, or Robbery, Assault with intent to commit Felony. or any other Capital Crime, is and shall be held to be a Misdemeanor, punishable by Transportation for any Term of Years not less than Seven, nor exceeding fourteen Years, or by Fine and Imprisonment, with or without Corporal Punishment, at the Discretion of the Court. Provided that Nothing herein contained shall be construed to extend to do away or alter the Mode of Proceeding in a summary Way without a Jury, in Cases of common Battery, or passionate or provoking Words, as heretofore accustomed. Provided also, and be it enacted, that the Fines imposed by an Ordinance made in the Year of our Lord one thousand six hundred and sixty-one, for Batteries and passionate Words, provoking the same, and recognised by an Act of Tynwald, promulgated in the Year of our Lord one thousand seven hundred and thirty-seven, be respectively altered and increased in Manner following : that is to say, that the Fine upon each Offender, in Cases of common Battery, shall be any Sum not exceeding forty Shillings, nor less than ten Shillings ; and that the Fine upon each Offender, in Cases of provoking Language, shall be any Sum not exceeding fifty Shillings, nor less than thirteen Shillings and Fourpence, according to the Degree and Nature of the Offence, as the Court or Magistrate shall think proper to affix, order, and award the same ;<sup>1</sup> and that the committing a common Assault without a Blow being struck, or Battery actually committed, shall be tried and punished in like Manner as a common Battery as before mentioned.

Battery and provoking Words.

XLIV.—That the having two Wives or two Husbands at the same Time, shall be held to be Bigamy and a Misdemeanor, and punishable by Fine and Imprisonment ; unless one of the Parties has been continually abroad for seven Years ; or unless one of the Parties has been absent within the Island for seven Years, and the remaining Party has no Knowledge of the other's being alive within that Time, or unless there has been a legal Divorce between the Parties.

XLV.—That the malicious defaming or injuring another, by publishing any libellous Printing, Writing, Sign, or Picture, concerning him or her, in order to provoke him or her to Wrath ; or to expose him or her to public Hatred, Contempt, or Ridicule ; or the scandalous publishing of any obscene, indecent, and immoral Picture, Printing, or Writing, are, and shall be severally held to be Misdemeanors, punishable by Fine and Imprisonment.

Publishing defamatory libel, &c.

XLVI.—That all unlawful, indecent, and scandalous Actings and Doings, not herein before specified, to the Disturbance of the public Peace, and against good Order and good Morals ; or to the evil Example of the Subjects of our Lord the King, are, and shall be held to be Misdemeanors, punishable by Fine and Imprisonment.

Indecent Behaviour.

XLVII.—And be it further enacted by the Authority aforesaid, That in all Cases of Misdemeanors, no Imprisonment shall be for a longer Period than three Years, and no Fine to a greater Amount than five hundred Pounds : Provided that Nothing herein contained shall be construed to extend to do away, prejudice, or affect the right of any Party who shall have been injured by any Misdemeanor, to seek his or her Remedy by Action for the civil Injury which such Party may have sustained by Reason of the same.

Imprisonment limited to 3 Years, Fine to £500.

XLVIII.—And be it further enacted by the Authority aforesaid, That all the said Treasons and Felonies shall be tried in the Court of General Gaol Delivery, upon the Prosecution of his Majesty's Attorney-General of the said Isle for the Time being, for and in the Name and Behalf of the King, and upon Indictments previously found in the accustomed Manner of finding Indictments in Cases of Treason and Felony by the Law of the said Island ; and that upon all such Trials, the Prisoner or Prisoners shall have a right to Challenge peremptorily, any Number of the Jurors returned upon the Panel not exceeding Twenty ; any Law, Custom, or Usage to the contrary notwithstanding.

Procedure.

XLIX.—And be it further enacted, That whensoever any Person or Persons shall be apprehended upon any Charge of Treason or Felony, or of having committed any Misdemeanor ; in such Case, the Party or Parties prosecuting, together with the Witnesses, shall be bound in a Recognizance in some sufficient Sum, to be fixed by the Deemster, to prosecute and give Evidence at the next Court of General Gaol Delivery ; or in Case of a Misdemeanor, at the Court of a Deemster, to be holden for the Trial of such Misdemeanor, which said Recognizance and Recognizances shall be entered at the Rolls Office, and if forfeited, be proceeded upon at the Suit of his Majesty's Attorney-General of the said Isle in the Court of Exchequer.

Challenge of Jury.

Prosecutors to be bound in Recognizance to prosecute.

L.—And that the said Misdemeanor shall be tried either upon Information preferred by the Attorney-General, in the Name and on the Behalf of our Sovereign Lord the King, or by Petition, at the Instance of a private Prosecutor or Prosecutors, in the Presence of the Deemsters, or one of them, by and before a Jury of six good and lawful Men of

Misdemeanor, how to be tried.

<sup>1</sup> This proviso repealed by Act of 1836.

the Sheading wherein the Party or Parties accused, or some or one of them, do or shall reside; or of such other Sheading as may be ordered on good Cause shewn; which Jury shall be impannelled by Order or Warrant of a Deemster, and shall consist of an equal Number of Men from and out of each and every Parish within such Sheading; and that it shall be lawful for a Deemster, on Complaint lodged, by Information or Petition as aforesaid, and Affidavit made to the Truth thereof, to issue his Order or Warrant for apprehending and imprisoning any Person or Persons charged with having committed any of the said Misdemeanors, until he, she, or they give in good and sufficient Security, at the Discretion of such Deemster, to appear and stand Trial for such Misdemeanor when thereunto lawfully required.

**Prosecutions for Misdemeanors to be commenced within 3 Months from Apprehension.** LI.—And be it further enacted, That Prosecutions for such Misdemeanors shall be commenced and effectually prosecuted within three Calendar Months from the Time of the apprehending and imprisoning of any Person or Persons charged with having committed any of the said Misdemeanors, and not afterwards, unless good Cause be shewn to the said Deemster, why the same should be postponed; and that whenever and as often as any Person or Persons so charged as aforesaid, shall have been so apprehended and imprisoned, such Person or Persons shall have it in his, her, or their Power, to apply for and bring on his, her, or their Trial, and shall also be intitled to and obtain such Time for making his, her, or their Defence, as the Deemster, on Application made, shall think reasonable.

**Punishment for Treason.** LII.—And be it further enacted by the Authority aforesaid, That when and as often as any Person shall be lawfully convicted of High Treason, the Judgment, Sentence, and Punishment shall be, that the Person so convicted be drawn on a Hurdle or Sledge to the Place of Execution, and be there hanged by the Neck until such Person be dead; that the Head of such Person be then severed from his or her Body; and that the Head and Body so severed be at the disposal of his Majesty.

**Punishment for Murder.** LIII.—That when and as often as any Person shall be lawfully convicted of Murder, the Judgment, Sentence, and Punishment shall be, that the Person convicted shall be hanged by the Neck until he or she be dead; and that the dead Body of such Person shall be at the disposal of his Majesty, to be anatomized or otherwise dealt with as his Majesty may direct.

**Punishment for Felony.** LIV.—That when and as often as any Person shall be lawfully convicted of Felony, punishable by Death, the Judgment, Sentence, and Punishment shall be, that the Person convicted shall be hanged by the Neck, until he or she be dead.

**Transportation.** LV.—That when and as often as any Person shall be lawfully convicted of Felony, punishable by Transportation, the Judgment, Sentence, and Punishment shall be, that the Person convicted be transported to such Place beyond the Seas as his Majesty shall direct, and that in the mean Time the Person so convicted be imprisoned, until his Majesty's Pleasure be known, and until his Majesty shall otherwise dispose of the Person so convicted.

**Sentences to be pronounced by the Deemster.** LVI.—And that the said several Judgments and Sentences of the Law, in all Cases of Treason and Felony, shall be pronounced by one of the Deemsters in open Court, immediately after Conviction, unless the said Court of General Gaol Delivery shall see reasonable Cause for postponing the passing of such Sentences and Judgments, or any of them.

**Lands, &c. of Felons forfeited.** LVII.—And be it further enacted by the Authority aforesaid, That every Person who shall be lawfully convicted of Treason, Murder, or other capital Felony, shall incur and suffer such Forfeiture of Lands and Tenements, Goods and Chattels, as formerly accustomed in Cases of Treason and capital Felonies.

**Sentence for Misdemeanor to be pronounced at Exchequer Court.** LVIII.—And be it further enacted, That when and as often as any Person shall be lawfully convicted of any Misdemeanor, the Deemsters, or either of them, who shall preside at the Trial of such Misdemeanor, shall receive and caption the Verdict of the Jury, by whom the same shall be tried, and shall transmit such Verdict, together with the Depositions taken by them upon such Trial, to the Rolls Office, with all convenient speed, and shall, by Warrant or Commitment, order the Person or Persons so convicted to be committed to Prison, there to remain until Sentence or Judgment be passed upon such Person or Persons; and that at the next Court of Exchequer, after the recording of such Verdict and Depositions, the same shall be produced and laid before the said Court by the Clerk of the Rolls for the Time being; and the said Court shall thereupon proceed to pass such Sentence and Judgment upon or against the Person or Persons so convicted as aforesaid, as the said Court shall in its Discretion think fit, according to the Provisions, Limitations, and Restrictions provided by this Act.

**Sentence of Death not to be executed out of the Prisoner's Plea.** LIX.—Provided always, That no Person convicted of any Treason or Felony, punishable by Death, shall suffer the Punishment of Death, until his Majesty's Pleasure respecting the Execution of the Sentence shall have been signified to the Governor or Lieutenant-Governor of the said Isle for the Time being, by one of his Majesty's Principal Secretaries of State; but such Person shall, after Conviction and Sentence of the Law being pronounced, be remanded to Prison, there to remain until his Majesty's Pleasure be signified in Manner aforesaid; and that the Governor or Lieutenant Governor of the said Isle for the Time being, shall forthwith report the Case of such convicted Person

to one of his Majesty's Principal Secretaries of State, and pray that his Majesty's Pleasure may be signified to him as well respecting the Execution of the Sentence as respecting the Disposal of the Body in Cases of Treason and Murder; and the Governor or Lieut.-Governor shall also in Cases of Felony, punishable by Transportation, in like Manner, and forthwith report the Case of any Convict sentenced to be transported, and pray that his Majesty's Pleasure may be signified as to the disposal of such last mentioned Convict.

LX.—And be it enacted by the Authority aforesaid, that an Accessary or Accessaries before the Fact, in all Cases of Murder or other capital Felony, shall be tried in like Manner and Form as the Principal or Principals in the same Felony, but not before such Principal or Principals hath or have been convicted of such Felony. And that all and every such Accessary or Accessaries being lawfully convicted, shall receive, undergo, and suffer the like Judgment, Sentence, and Punishment as the Principal or Principals in the same Felony, is or are, or shall be, liable unto: Provided that in any Case where the Principal or Principals in any such capital Felony shall escape or elude Trial, that in every such Case the Accessary or Accessaries before the Fact, shall undergo his or her Trial notwithstanding. And that an Accessary or Accessaries after the Fact, in Murder or other capital Felony, shall be held to be guilty of a High Misdemeanor, and punishable by Fine and Imprisonment, and with or without Corporal Punishment, at the Discretion of the Court.

LXI.—And be it further enacted by the Authority aforesaid, That an Accessary or Accessaries, either before or after the Fact, in all Felonies not Capital, shall be held to be guilty of a High Misdemeanor, and punishable by Fine and Imprisonment, and with or without Corporal Punishment, at the Discretion of the Court.

Norris Moore, }  
Thomas Gawne, } Deemsters.

C. Smelt, Lieut.-Governor.  
G. Sodor and Man.  
Thomas Stowell.  
John Cosnahan.  
Daniel Mylrea.  
T. Stephen.

#### The Keys.

George Quayle,  
Thomas Harrison,  
James Cuming,  
Robert Farrant,  
William Fitzsimmons,  
T. Mylrea,  
John Moore,  
John Gelling,  
Edward Gawne,  
John Llewellyn,

Robert Quayle,  
John Caesar Gelling,  
John Quane,  
William Cuninghame,  
John Hughes,  
John C. Crellin,  
Calcott Heywood,  
W. L. Drinkwater,  
J. J. Heywood.

*At the Court at Carlton House the 1st July 1817.*

#### PRESENT.

His Royal Highness the Prince Regent in Council.

Whereas there was this day read at the Board a Report from a Committee of the Lords of His Majesty's Most Honourable Privy Council, dated the 30th of last month in the words following viz.:

"Your Royal Highness having been pleased by Your Orders in Council in the name  
"and on the behalf of His Majesty to refer unto this Committee two letters from  
"the Right Honorable Viscount Sidmouth, one of His Majesty's Principal Secretaries of State to the Lord President of the Council transmitting Copies of Letters  
"from the Lieutenant Governor of the Isle of Man forwarding two amended acts  
"passed by the Legislature of the said Isle intituled as follows:  
"An act for altering and amending the Criminal Law of the said Isle."  
"An act to prevent the negociation of Promissory notes and Inland Bills of Exchange within the said Isle under a limited sum."

And also another act passed by the Legislature of the said Isle intituled "An act for  
"the Better regulation of the Herring Fishery and the prevention of Frauds in the  
"Purchase and sale of Herrings in the Isle of Man and on the Coasts thereof.

The Lords of the Committee in obedience to Your Royal Highness's said Orders of Reference have taken the said letters and Acts into consideration and do agree humbly to lay the said acts before Your Royal Highness for Your Royal Highness's Confirmation in the name and on the behalf of His Majesty."

Case of Convict to be reported to Secretary of State.

Accessary in Felony to be tried as Principal.

His Royal Highness the Prince Regent having taken the said Report into Consideration was pleased in the name and on the behalf of His Majesty and by and with the advice of His Majesty's Privy Council to approve thereof and to order as it is hereby ordered, That the said acts be and the same are hereby Confirmed and the Right Honorable Viscount Sidmouth, one of His Majesty's Principal Secretaries of State is to take the necessary measures herein accordingly.

CHETWIND.

*At a Tynwald Court holden at St. John's Chapel, the 31st Day of July, in the Year of our Lord 1817.*

The before written Act of Tynwald, intituled, "An Act for altering and amending the Criminal Law of the said Isle," having received the Royal Assent, at the Court at Carlton House, the 1st of July, 1817; present his Royal Highness the Prince Regent in Council, the said Act was this Day promulgated and published on the Tynwald Hill according to the ancient Form and Custom within the said Isle, as witness our Subscriptions:

Thomas Gawne, Deemster.

C. Smelt, Lieut.-Governor.  
G. Sodor and Man.  
James Clarke, Attorney-Gen.  
Thomas Stowell.  
Daniel Mylrea.  
T. Stephen.

The Keys.

John Taubman,  
John Quane,  
Wm. Cuninghame,  
John Gelling,  
Robert Farrant,  
John Moore,  
Wm. Leece Drinkwater,  
Thomas Harrison,  
John Joseph Heywood,

John C. Crellin,  
Calcott Heywood,  
Edward Gawne,  
John Hughes,  
Robert Quayle,  
John Llewellyn,  
John Quilliam,  
Thomas Mylrea.

ISLE OF MAN, to wit.

*At a Tynwald Court holden at Castle Rushen, the 23d Day of May, in the fifty-seventh Year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord one thousand eight hundred and seventeen, before the Honourable Cornelius Smelt, Lieutenant Governor, the Council, Deemsters, and Keys of the said Isle.*

CHAPTER II.

An Act to prevent the Negotiation of Promissory Notes and Inland Bills of Exchange within the said Isle under a limited Sum.

Card and  
other Notes

Whereas divers Persons have of late Years issued Promissory Notes, payable to Bearer, for fractional Sums of

Money under twenty Shillings, whereby the public Credit of the Island hath been most materially injured, and the Crime of Forgery greatly facilitated and increased, and the legitimate Currency of the Realm nearly banished from the said Isle. And whereas it is expedient to abolish the Issuing and Circulation of Notes or Cards for the Payment of any Sum or Sums of Money under twenty Shillings British. We, therefore, your Majesty's most dutiful and loyal Subjects, the Lieutenant-Governor, Council, Deemsters, and Keys of the said Isle, do humbly beseech your Majesty, that it may be enacted, and be it enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lieutenant-Governor, Council, Deemsters, and Keys of the said Isle, in Tynwald assembled, and by the Authority of the same,

under 20s.  
abolished.

1. That from and immediately after the Promulgation of this Act, all the Estate, real and personal, of every Description and Quality whatsoever, whether Quarterland, or Lands of Inheritance, descendible from Ancestor to Heir, or acquired in any other Manner whatever, belonging to, or in Trust for, the Issuer of any Promissory or other Note, Bill of Exchange, Draft, or Undertaking in Writing, being negotiable or transferable, now in Circulation, or hereafter to be issued, by any Person or Persons as Bankers, under the Provisions of this Act, shall be subject and liable to the Payment of all and every such negotiable Instrument whatsoever.

Lands of Inheritance, &c.  
of Bankers,  
subject to  
Payment of  
Notes.

2. And be it further enacted by the Authority aforesaid, That every such Person or Persons as aforesaid, who, after the Promulgation of this Act, shall make and issue within the said Isle any such Promissory or other Note, Bill of Exchange, Draft, or Undertaking in Writing, being negotiable and transferable, for the Payment of any Sum or Sums of Money, less than twenty Shillings British, shall severally forfeit and pay the Penalty of fifty Pounds for each and every Offence, One-half to and for the Use of his Majesty, and the other Half to the Informer, such Penalty to be recovered by Suit in the Court of Exchequer of this Isle, in the Name of the Attorney-General of the said Isle for the Time being.

Penalty  
for issuing  
Cash Note  
under 20s.

3. And be it further enacted, That all Promissory or other Notes, Bills of Exchange, Drafts, or Undertakings in Writings, being negotiable or transferable, for Payment of any Sum or Sums of Money less than twenty Shillings British, which are now in Circulation within the said Isle, shall, from and after the Expiration of three Calendar

Cash Notes  
under 20s.  
void after 6  
Months from  
Promulga-  
tion of Act.



Months from the Promulgation of this Act, be, and are hereby declared to be null and void, to all Intents and Purposes whatever; and that the Holder or Holders of any such unlawful Note, Bill, Draft, or Undertaking aforesaid, shall not have or be entitled to any Relief or Recourse, for the Amount of the same or any Part thereof, upon or against the Maker or Makers, Indorser or Indorsers, of any such unlawful Note, Bill, Draft or Undertaking aforesaid, or any other Party, Person, or Persons whatever; save and except in Cases of Fraud practised upon the innocent.

Bank Notes  
&c. not to  
be issued  
without  
Licence.

£50 Penalty.

Licence to be  
renewed  
annually.

Duty £20.

Act to apply  
to Bankers'  
Notes only.

Bankers to  
pay in Cash,  
Bank of Eng-  
land Notes,  
or Bills at 2  
Months.

4. And be it further enacted by the Authority aforesaid, That from and after the Promulgation of this Act, no Person or Persons shall make and issue any Bills, Notes, or other negotiable Paper or Instrument whatever, for the Payment of twenty Shillings British or upwards, by way of a circulating Medium, without the Licence of the Governor or Lieutenant-Governor and Council of the said Isle, for the Time being, to be granted or refused at their Discretion, under Penalty of fifty Pounds for every such Bill, Note, or other Instrument issued contrary to this Act; which Licence shall remain in force for one Year only, and be renewable from Year to Year, at the Discretion of the said Governor, or Lieutenant-Governor, and Council, and that the Sum of twenty Pounds British, shall be paid for each and every such Licence into the Hands of the Clerk of the Rolls, to be added to the Highway Fund.

5. Provided also, that Nothing herein contained shall extend, or be construed to extend to hinder, prevent, or restrain the making or passing of Notes or Bills of any Amount, without a Licence, so as the same be done in the common and ordinary Course of Trade or Business, and not in the way of Cash Notes or Bills, or Banker's Notes or Bills.

6. And be it further enacted, That every such Banker or Bankers as aforesaid shall be bound to take up and pay all such Notes or other negotiable Paper or Instruments whatever, made and issued by them, or any of them, within the said Isle, by paying the full Value in Gold, Silver Coin, of the legal Currency of Great Britain, Promissory Notes of the Bank of England, or by direct Bills of Exchange on London, at a Date not exceeding two Months.<sup>1</sup>

Norris Moore, }  
Thomas Gawne, } Deemsters.

C. Smelt, Lieut.-Governor.  
Thomas Stowell.  
Daniel Mylrea.

<sup>1</sup> Sec. 6 amended by Bankers' Act, 1836.

## The Keys.

|                  |                      |
|------------------|----------------------|
| George Quayle,   | John Hughes,         |
| Robert Farrant,  | James Cuming,        |
| Thomas Harrison, | Robert Quayle,       |
| John Gelling,    | W. Fitzsimmons,      |
| Thomas Mylrea,   | Calcott Heywood,     |
| John Moore,      | W. Leece Drinkwater. |
| John Quane,      | W. Cuninghame,       |
| Edward Gawne,    | J. J. Heywood.       |
| John C. Crellin, | John Llewellyn.      |

Royal Assent, 1 July 1817.<sup>1</sup>

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At a Tynwald Court holden at St. John's Chapel, the 31st Day of July, in the Year of our Lord 1817.

The before written Act of Tynwald, intituled, "An Act to prevent the Negotiation of Promissory Notes and Inland Bills of Exchange within the said Isle, under a limited Sum," having received the Royal Assent, at the Court at Carlton House, the 1st July, 1817, present, his Royal Highness the Prince Regent in Council, the said Act was this Day promulgated and published on the Tynwald Hill, according to the ancient Form and Custom within the said Isle, as witness our Subscriptions :

	C. Smelt, Lieut.-Governor.
	G. Sodor and Man.
Thomas Gawne, Deemster.	James Clarke, Attorney-Gen.
	Thomas Stowell.
	Daniel Mylrea.
	T. Stephen.

The Keys.

John Taubman,	John C. Crellin,
John Gelling,	Edward Gawne,
William Cuninghame,	John Hughes,
John Quane,	John Llewellyn,
John Moore,	Robert Quayle,
Robert Farrant,	John Quilliam,
John Jos. Heywood,	Thomas Mylrea,
Calcott Heywood,	Thomas Harrison.
Wm. L. Drinkwater,	

¹ See p. 391 *ante*.

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ISLE OF MAN, to wit.

*At a Tynwald Court holden at Castle Rushen, the 11th Day of June, in the fifty-seventh Year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord one thousand eight hundred and seventeen, before the Honourable Cornelius Smelt, Lieutenant Governor, the Council, Deemsters, and Keys of the said Isle :*

### CHAPTER III.

An Act for the better Regulation of the Herring Fishery, and the Prevention of Frauds in the Purchase and Sale of Herrings in the Isle of Man, and on the Coasts thereof.

Act of 1796  
insufficient.

Whereas an Act of Tynwald, passed in the thirty-sixth Year of the Reign of his present Majesty, intituled "An Act for the better Regulation of the Herring Fishery," respecting the Practice of Tarring Nets used in the Herring Fishery upon the Coasts of the Isle of Man, which was found to be very prejudicial to the said Fishery :

And whereas the said Act has proved insufficient for the Prevention of such Practice of using Tarred Nets, and it is expedient that the same should be repealed, and Provision made for the more effectual Prevention of such evil Practice ;

Act of 1796  
as to tarred  
nets re-  
pealed.

1. We, therefore, your Majesty's most dutiful and loyal Subjects, the Lieutenant-Governor, Council, Deemsters, and Keys of the said Isle, do humbly beseech your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lieutenant-Governor, Council, Deemsters, and Keys of the said Isle, in Tynwald assembled, and by the Authority of the same, that the said recited Act of the thirty-sixth Year of his present Majesty, so far as respects the Use of Tarred Nets, be repealed, and the same is hereby repealed accordingly.

2. And be it enacted, by the Authority aforesaid, That from and after the Promulgation of this Act, in case any Master of a Boat or Vessel employed in the Herring Fishery upon the Coasts of the Isle of Man, shall have or use any Tarred Net or Nets in the said Fishery, or permit the same

to be made Use of by any of the Hands, People, or Crew, or any Person or Persons in or belonging to such Boat or Vessel; or in case any Tarred Net or Nets shall be used, engaged, or employed in the said Herring Fishery, the said Tarred Nets so found or seized shall be forfeited; and the Master of every such Boat or Vessel shall, for every such Offence, be subject to a Fine not exceeding ten Pounds British, and be imprisoned until the said Fine be discharged.

Tarred Nets not to be used, forfeited if found.

£10 Penalty for using.

3. And whereas, in Consequence of the Frauds practised by the present Mode of buying and selling Fresh Herrings in the Isle of Man and on the Coasts thereof, by Tale, it is become expedient that Rules and Regulations should be established for the future Purchase and Sale of the said Fish by Measure commonly called a Cran: Be it therefore further enacted, that from and after the Expiration of one Calendar Month from the Promulgation of this Act, all Fresh Herrings which shall be bought and sold in the said Island, or on the Coasts thereof, (whereof the Quantity of such Purchase or Sale shall exceed a Half Cran) shall be by the Measure commonly called the Cran or Half-Cran; and that the Cran to be used for the Purchase and Sale of Fresh Herrings as aforesaid, shall be of the Contents or Capacity of forty-two Gallons English Wine Measure, reckoning from the outermost Extremities of the Staves, and that it shall be made of Oak Staves completely seasoned; the Staves not to be under two Inches, nor to exceed four Inches in Breadth, and no Croze allowed; and the Length of the Cran shall be thirty-one Inches of made work; that the Bung Diameter, exclusive of the Thickness of the Staves, shall be twenty-one Inches, and that the Diameter of the Ends, taken correctly from Inside to Inside at the very Extremity thereof, shall be eighteen Inches, so that the main Diameter will be twenty Inches and one-tenth Part of an Inch, and the Contents forty-two Gallons and One-half; but Care to be taken at the Adjustment of the Measure, and before it is branded, to reduce the Cran to the exact Gauge of forty-two Gallons, by paring a little from the Ends of the Staves.

Herrings to be sold by the Cran, containing 42 Gallons Wine Measure.

Cran to be adjusted and branded.

4. And be it further enacted, That the Contents or Capacity of the Half-Cran shall be twenty-one Gallons English Wine Measure; that the Staves shall be of the same Quality and Thickness required for the Cran, and from two or three Inches in Breadth; and the Length of the Half-Cran shall be twenty-one Inches of the made work; and the Bung Diameter, exclusive of the Thickness of the Staves, eighteen Inches, and the inside Diameter of

Half-Cran to contain 21 Gallons English Wine Measure.

## The Keys.

John Taubman,  
John Llewellyn,  
John Caesar Gelling,  
Edward Gawne,  
John Gelling,  
John Quane,  
John Hughes,

George Quayle,  
Robert Quayle,  
Thomas Harrison,  
John Moore,  
James Cuming,  
John Christian.

*At the Court at Carlton House the 13th of August 1817.*

## PRESENT:

His Royal Highness The Prince Regent in Council.

Whereas there was this day read at the Board a Report from a Committee of the Lords of His Majesty's Most Honorable Privy Council, dated the 9th of this Instant in the words following viz.

"Your Royal Highness having been pleased by Your order in Council of the 24th of last month in the name and on the behalf of His Majesty to refer unto this Committee a Letter from the Right Honourable Viscount Sidmouth One of His Majesty's Principal Secretaries of State, to the Lord President of the Council, transmitting an Act passed by the Legislature of the Isle of Man intituled as follows :

"An act for continuing until the 10th day of October 1819 an act of Tynwald passed in the 53rd year of His Majesty's Reign for the better making and repairing of Highways and Bridges in the said Isle."

The Lords of the Committee, in obedience to Your Royal Highness's said order of Reference have taken the said letter and act into Consideration and do agree humbly to lay the said act before your Royal Highness for Your Royal Highness's Confirmation in the name and on the behalf of His Majesty.

His Royal Highness the Prince Regent having taken the said Report into Consideration, was pleased, in the name and on the behalf of His Majesty and by and with the advice of His Majesty's Privy Council to approve thereof and to order as it is hereby ordered That the said act be and the same is hereby confirmed. And the Right Honorable Viscount Sidmouth one of His Majesty's Principal Secretaries of State, is to take the necessary measures herein accordingly.

CHETWYND.

*At a Tynwald Court holden at St. John's Chapel, the 11th Day of September, in the Year of our Lord 1817.*

The before written Act of Tynwald, intituled, "An Act for continuing until the tenth Day of October, one thousand eight hundred and nineteen, an Act of Tynwald passed in the fifty-third Year of His Majesty's Reign, for the better Making and Repairing of Highways and Bridges in the said Isle," having received the Royal Assent, at the Court at Carlton House, the 13th August, 1817, present, his Royal Highness the Prince Regent in Council, the said Act was this Day promulgated and published on the Tynwald Hill, according to the ancient Form and Custom within the said Isle; as witness our Subscriptions :

Norris Moore, }  
Thomas Gawne, } Deemsters.

C. Smelt, Lieut.-Governor.  
G. Sodor and Man.  
W. Scott.  
Thomas Stowell.  
John Cosnahan.  
Daniel Mylrea.  
Thomas Cubbon.  
T. Stephen.

## The Keys.

John Taubman,  
W. Cuninghame,  
Thomas Harrison,  
John Gelling,  
James Cuming,  
John Moore,  
John Hughes,  
John Quane,  
W. Fitzsimmons,

M. Wilks,  
John Caesar Gelling,  
John Quilliam,  
Robert Farrant,  
Robert Quayle,  
Thomas Mylrea,  
John Llewellyn,  
John C. Crellin.

mulgated and published on the Tynwald Hill, according to the ancient Form and Custom within the said Isle ; as witness our Subscriptions :

|                         |                             |
|-------------------------|-----------------------------|
|                         | C. Smelt, Lieut.-Governor.  |
|                         | G. Sodor and Man.           |
| Thomas Gawne, Deemster. | James Clarke, Attorney-Gen. |
|                         | Thomas Stowell.             |
|                         | Daniel Mylrea.              |
|                         | T. Stephen.                 |

#### The Keys.

|                       |                  |
|-----------------------|------------------|
| John Taubman,         | John Hughes,     |
| John Quane,           | Edward Gawne,    |
| John Gelling,         | Robert Quayle,   |
| Wm. Cuninghame,       | John C. Crellin, |
| Robert Farrant,       | John Quilliam,   |
| John Moore,           | John Llewellyn,  |
| Wm. Leece Drinkwater, | Thomas Mylrea,   |
| John Joseph Heywood,  | Thomas Harrison. |
| Calcott Heywood,      |                  |

#### ISLE OF MAN, to wit.

*At a Tynwald Court holden at Castle Rushen, the 5th Day of July, in the fifty-seventh Year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord one thousand eight hundred and seventeen, before the Honourable Cornelius Smelt, Lieutenant Governor, the Council, Deemster, and Keys of the said Isle.*

An Act for continuing until the tenth Day of October, one thousand eight hundred and nineteen, an Act of Tynwald passed in the fifty-third Year of His Majesty's Reign, for the better Making and Repairing of Highways and Bridges in the said Isle.<sup>1</sup>

Whereas an Act of Tynwald was passed in the fifty-third Year of His Majesty's Reign, intituled, "An Act for the better Making, Repairing, and Amending of Highways and Bridges," to continue in Force until the tenth Day of October, one thousand eight hundred and fifteen ; which Act was by an Act of Tynwald passed the fifth Day of July, one thousand eight hundred and fifteen, continued in Force until the tenth Day of October, one thousand eight hundred and seventeen : And whereas it is expedient that the said Act of the fifty-third Year of His Majesty's Reign should be continued in Manner hereinafter mentioned ; We, therefore, your Majesty's most dutiful and loyal Subjects, the Lieutenant-Governor, Council, Deemsters, and Keys, of the said Isle in Tynwald assembled, do humbly beseech your Majesty, that it may be enacted, and be it enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lieutenant-Governor, Council, Deemsters, and Keys, of the said Isle, in Tynwald assembled, and by the Authority of the same, that the said recited Act of Tynwald, of the fifty-third Year of His Majesty's Reign, intituled, "An Act for the better Making, Repairing, and Amending of Highways and Bridges," shall be, and the same is hereby continued, and shall be in Force until the tenth Day of October, which will be in the Year of our Lord one thousand eight hundred and nineteen.

Thomas Gawne, Deemster.

C. Smelt, Lieut.-Governor.  
G. Sodor and Man.

Highroad Act of 1813 to continue in force until 10th of October, 1817.  
  
Further continued to 10th of October, 1819.

<sup>1</sup> Expired 10th October 1819.

"Your Royal Highness having been pleased by your Order in Council, of the 18th Inst. in the Name and on the Behalf of His Majesty, to refer unto this Committee a Letter from the Right Honourable Viscount Sidmouth, one of His Majesty's Principal Secretaries of State, to the Lord President of the Council, transmitting an Act passed by the Legislature of the Isle of Man, intituled as follows, viz., '*An Act to prevent the Recovery of Tippling Debts*;'—The Lords of the Committee, in Obedience to your Royal Highness's said Order of Reference, have taken the said Letter and Act into Consideration, and do agree humbly to lay the said Act before your Royal Highness, as proper to receive your Royal Highness's Confirmation, in the Name and on the Behalf of his Majesty."

His Royal Highness the Prince Regent having taken the said Report into Consideration, was pleased in the Name and on the Behalf of His Majesty, and by and with the Advice of His Majesty's Privy Council, to approve thereof, and to order, as it is hereby ordered, That the said Act be, and it is hereby confirmed. And the Right Honourable Viscount Sidmouth, one of His Majesty's Principal Secretaries of State, is to take the necessary Measures herein accordingly.

JAS. BULLER.

~~~~~  
At a Tynwald Court holden at St. John's Chapel, the 26th Day of February, in the Year of our Lord 1819.

The before written Act of Tynwald, intituled, "An Act to prevent the Recovery of Tippling Debts," having received the Royal Assent, at the Court at Brighton, the 1st of February, 1819, present, his Royal Highness the Prince Regent in Council, the said Act was this Day promulgated and published on the Tynwald Hill, according to the ancient Form and Custom within the said Isle, as witness our Subscriptions :

Thomas Gawne, Deemster.

C. Smelt, Lieut.-Governor.
R. Steuart, Receiver-General.
J. M'Hutchin.
George Quirk.
T. Stephen.

The Keys.

George Quayle,
John Llewellyn,
Wm. L. Drinkwater,
John Jos. Heywood,
Calcott Heywood,
John Moore,
J. Cumming,

Thomas Harrison,
John Quilliam,
Robert Farrant,
John Hughes,
John Caesar Gelling,
Wm. Cuninghame,
John C. Crellin.

~~~~~ ISLE OF MAN, to wit.

At a Tynwald Court holden at Castle Rushen, the 5th Day of July, in the fifty-ninth Year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord one thousand eight hundred and nineteen, before the Honourable Cornelius Smelt, Lieutenant-Governor, the Council, Deemster, and Keys of the said Isle.

CHAPTER II.

An Act for the better Making, Repairing, and Amending of Highways and Bridges.¹

Whereas the Funds already provided by Law for the Making, Repairing, and Amending of Highways and Bridges, within the said Isle, are found to be very insufficient for the Purposes thereof, and it is become expedient that the said Funds be increased :

¹ Expired 10th October 1830, having been continued to that date by Acts of 24th September 1834 and 31st July 1827.

And whereas by an Act of Tynwald passed in the Year of our Lord one thousand seven hundred and thirty-four, entitled, "An Act to suppress petty Ale Houses and Tippling Houses," an Impost or Duty is laid upon the retailing of Ale, Wine, and Spirituous Liquors : Act of 1734 recited.

And whereas by an Act of Tynwald, passed in the said Isle, in the Year of our Lord one thousand seven hundred and seventy-six, entitled, "An Act for the better Making, Repairing, and Amending of the Highways, the Draining of Fens and Marshy Grounds, the Making of Stone Walls and other Boundaries, and for the more effectually preventing of Trespasses," an additional Impost or Duty is laid upon the retailing of Ale, Wine, and Spirituous Liquors, and directed to be applied to the Use of the said Highways and Bridges : Act of 1776 recited.

And whereas it is thought expedient to repeal the said Act of Tynwald, passed in the Year of our Lord one thousand seven hundred and thirty-four ; and also that Part of the said Act of Tynwald, passed in the Year of our Lord one thousand seven hundred and seventy-six, whereby an additional Impost or Duty is laid upon the retailing of Ale, Wine, and Spirituous Liquors, directed to be applied to the Use of the Highways and Bridges aforesaid, and to lay an Impost or Duty upon the retailing of Ale, Wine, and other Liquors, in lieu of the Duties imposed by the said recited Acts : Act of 1776.

1. We, therefore, your Majesty's most dutiful and loyal Subjects, the Lieutenant-Governor, Council, Deemster, and Keys of the said Isle, in Tynwald assembled, do humbly beseech your Majesty, that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the Advice of the Lieutenant Governor, Council, Deemster, and Keys of the said Isle, and by the Authority of the same, That from and after the tenth Day of October next ensuing the Promulgation of this Act, the said Act of Tynwald, passed in the Year one thousand seven hundred and thirty-four, entitled, "An Act to suppress petty Ale Houses and Tippling Houses," and that Part of the said Act of Tynwald, passed in the Year of our Lord one thousand seven hundred and seventy-six, whereby an additional Impost or Duty is laid upon the retailing of Ale, Wine, and Spirituous Liquors, do severally stand repealed. Acts of 1734 and Part of Act of 1776 repealed.

2. And that from and after the tenth day of October next ensuing the Promulgation of this Act, no Person or Persons shall retail any Kind of Wines within the said Isle, without a Licence from the Governor or Lieutenant-Governor of the said Isle for the Time being, under the Penalty of three Pounds for each and every Offence ; and that the Sum or Duty of one Pound sixteen Shillings and Ninepence be payable and paid for each and every such Licence. And that from and after the said tenth Day of October next ensuing the Promulgation of this Act, no Person or Persons shall retail any Rum, Geneva, Brandy, or other Spirituous Liquors within the said Isle, without a Licence from the Governor or Lieutenant-Governor of the said Isle for the Time being, under the Penalty of three Pounds for each and every Offence ; and that the Sum of one Pound four Shillings and Sixpence shall be payable and paid for each and every such Licence to retail Spirituous Liquors. And that from and after the said tenth Day of October next ensuing the Promulgation of this Act, no Person or Persons shall retail any Ale, Beer, Porter, Cyder, or Perry within the said Isle, without a Licence from the Governor or Lieutenant-Governor of the said Isle for the Time being, under the Penalty of three Pounds for each and every Offence ; and that the Sum of twelve Shillings and Three-pence shall be payable and paid for each and every such Licence to retail Ale, Beer, Porter, Cyder, or Perry. And that the selling of Wine, in or by any Vessel, Measure, or Quantity less than a Hogshead ; and the selling of Spirituous Liquors in or by any Vessel, Measure, or Quantity less than a Puncheon, Pice, or Butt ; and the selling of Ale, Beer, Porter, Cyder, or Perry, in or by any Vessel, Measure, or Quantity less than a Quarter Barrel, shall be deemed and considered to be retailing the same respectively within the Intendment of this Act. Penalty of £3 for selling Wine without Licence.
Duty of £1 16 9 for Wine Licence.
Penalty of £3 for selling Spirits without Licence.
Duty of £1 4 6 for Spirit Licence.
£3 Penalty for selling Ale, &c. without Licence.
Duty of 12s. 3d. for Ale Licence.

3. And be it further enacted by the Authority aforesaid, That the said Licences shall be issued yearly between the tenth of October and the first of November in each Year, or such Day or Days as shall be appointed and proclaimed for that Purpose, and at such other Times as may be ordered occasionally by the Governor or Lieutenant-Governor of the said Isle for the Time being, on special Application for that Purpose. Licences to be issued between the 10th of October and 1st of November yearly.

4. And be it further enacted by the Authority aforesaid, That in all Cases where the Party or Parties applying for the said Licences, or any of them, do not intend to keep a Tavern, Inn, or Public House, he, she, or they shall signify the same upon making such Application, and the Tenor of the Licence or Licences granted or to be granted upon such Application, shall express that the Party or Parties applying for the same do not intend to keep a Tavern, Inn, or Public House, or to that Effect ; and that such last mentioned Licence or Licences so expressed as aforesaid, shall not authorize or entitle the Party or Parties obtaining the same, to keep a Tavern, Inn, or Public House, or to sell Wine or Spirits in any Quantity less than one Quart, or the Contents of a Bottle usually denominated a Quart Bottle, under a Penalty of three Pounds for every Offence. Tavern, Inn, or Public House Licence.

5. And be it further enacted by the Authority aforesaid, That no Licence or Licences to sell Wine or Spirituous Liquors, shall be granted to any Person or Persons whatsoever, intending to keep a Tavern, Inn, or Public House, unless such Person or Persons Tavern Keepers obliged to have Ale Licence.

Sign Boards to be placed over Door of Tavern. shall apply for and obtain a Licence to sell and retail Ale, Beer, Porter, Cyder, and Perry, according to the Provisions of this Act. And that all Persons so licensed to keep a Tavern, Inn, or Public House, shall, within one Calendar Month after obtaining such Licence, place or affix a Board or Sign over the front Door or some other conspicuous Place on the Front of such Public House, containing the Name of the Person so licensed, and such Articles as he or she is licensed to retail, in sufficient legible Characters, under a Penalty of ten Shillings for each and every Default.

Certificate requisite for obtaining Licence to keep Tavern or Public House. 6. And be it further enacted by the Authority aforesaid, That the Party or Parties applying for any such Licence or Licences with an Intention of keeping a Tavern, Inn, or Public House, if an Inhabitant or Inhabitants of a Market Town within the said Isle, shall, previous to obtaining such Licence or Licences, produce a Certificate under the Hand of the High Bailiff of the said Town, that such Party or Parties is or are a fit and proper Person or Persons to obtain such Licence or Licences; and if the said Party or Parties be not an Inhabitant or Inhabitants of a Market Town, then and in such Case, he, she, or they shall, previous to obtaining such last mentioned Licence or Licences, produce a Certificate to the Effect aforesaid, under the Hands of the Rector, Vicar, or Curate, and Captain of the Parish, and High Bailiff of the District in which such Party may reside, or any Two of them, for which Certificate the Sum or Fee of Sevenpence only shall be payable. And in the Case of a Party or Parties applying for such Licence or Licences who shall not at the Time of the Promulgation of this Act be already licensed to keep a Public House in such Market Town, that the Party or Parties so applying shall, previous to obtaining such Licence or Licences, produce a Certificate under the Hand of the High Bailiff to the Tenor and Effect aforesaid, and also that such Tavern, Inn, or Public House is requisite for the Public Convenience; and if the said Party or Parties be not an Inhabitant of a Market Town, then, and in such Case, he, she, or they shall, previous to obtaining such Licence or Licences, produce a Certificate to the Effect aforesaid, under the Hands of the Rector, Vicar, or Curate, and Captain of the Parish, and High Bailiff of the District in which such Party or Parties may reside, or any Two of them, for which Certificate a Fee of Sevenpence only shall be paid.

Governor may revoke or grant Licence at his discretion. Provided also, that the Governor or Lieutenant-Governor of the said Isle for the Time being, may upon good Cause shewn, withhold, withdraw, or revoke any such Licence, or may grant such Licence at his Discretion, without the Sanction aforesaid, upon special Application and good Cause shewn in open Court in Presence of Parties.

Fee to Governor's Secretary. 7. And be it further enacted by the Authority aforesaid, That from and out of the Sum or Duty payable for and in respect of each and every Licence to be issued in Pursuance of this Act, the Sum or Fee of one Shilling and Twopence shall be payable and paid to the Governor's or Lieutenant-Governor's Secretary for the Time being; the Sum of Sevenpence to the Clerk of the Rolls; and the Sum of one Shilling and Ninepence to the House of Keys for the Purpose of repairing or improving the House wherein the Keys assemble on public Business, and for such other Purposes as the House of Keys may in their Discretion order and direct; and that the Residue and Remainder of the Sum or Duties arising and to arise from the said Licences, shall be payable and paid into the Hands of the Clerk of the Rolls, as a Fund to be applied in Making, Repairing, and Amending the Highways and Bridges within the said Isle, in such Manner as shall from Time to Time be ordered and directed by the Committee of Highways for the Time being, or a Majority of them; and that the Fines and Forfeitures aforesaid shall be paid and applied as follows, viz. One-half to the Informer, and the other Half into the Hands of the Clerk of the Rolls, to be added to the said Fund for Making, Repairing, and Amending Highways and Bridges.

Clerk of Rolls.

House of Keys.

Residue of Licence Duty to be applied to Highways.

Fines how applied.

Former Duty on Dogs repealed.

New Duties.

8. And whereas by the said Act of Tynwald passed in the said Isle, in the Year of our Lord one thousand seven hundred and seventy-six, certain Sums or Duties therein mentioned are made payable by Persons having, keeping, or harbouring certain Descriptions of Dogs, in the said Act particularly mentioned, which said Sums are by the said Act directed to be applied for the Purpose of Making, Repairing, and Amending of Highways and Bridges within the said Isle. And whereas it is thought expedient to Increase the Impost or Duty upon the Keepers, Owners, and Harbourers of Dogs, and impose certain other Duties as hereinafter described: Be it further enacted, by the Authority aforesaid, That from and after the tenth Day of October next ensuing the Promulgation of this Act, that Part of the said Act of Tynwald passed in the Year of our Lord one thousand seven hundred and seventy-six, respecting the said Impost or Duty upon Dogs be repealed; and that from and after the tenth Day of October next ensuing the Promulgation of this Act, all and every Person or Persons within the said Isle, having, keeping, or making Use of any Greyhound, Half-bred or Mungrel Greyhound, or Lurcher, or any Dog fit for, or that shall be made Use of for the Purpose of Coursing, shall yearly and every Year pay the Sum or Duty of two Pounds and nine Shillings for each and every such Dog. And that all and every Person or Persons within the said Isle, having, keeping, or making Use of any Setting Dog or Pointer, or any Land or Water Spaniel, for Pointing, Setting, or Shooting, or any Dog fit for, or that shall be made Use of for any of the said Purposes; or any Bull Dog, or Half-bred or Mungrel Bull Dog; or any Bloodhound or Half-bred or Mungrel Bloodhound shall yearly and

every Year pay the Sum or Duty of one Pound four Shillings and Sixpence for each and every such Dog ; and that all and every Person or Persons having, keeping, harbouring, or making Use of as aforesaid, any Hound, Beagle, Terrier, or other Dog, fit and proper for Hunting, or which shall be made use of for that Purpose, shall pay yearly and every Year the Sum of seven Shillings for each and every such Dog : and that all and every such Person and Persons, having, keeping, or harbouring any other Dog or Dogs whatsoever, not used for Diversion, or not fit for pursuing of Game, shall yearly and every Year pay the Sum or Duty of two Shillings and Elevenpence for each and every such Dog.

9. And whereas several temporary Acts of Tynwald have been heretofore passed in the said Isle for the Regulation of Hawkers, Pedlars, and Chapmen, which Acts are now expired : Be it further enacted by the Authority aforesaid, That from and after the tenth Day of October next ensuing the Promulgation of this Act, no Hawker, Pedlar, Petty Chapman, or any other Trading Person going from Town to Town, or House to House, for the Purpose of exposing Goods, Wares, or Merchandize for Sale, shall be allowed so to expose for Sale any Goods, Wares, or Merchandize, excepting Fish, Fruit, and Victuals, and excepting Articles the Produce and Manufacture of this Island, unless he or she shall have obtained a Licence from the Governor or Lieutenant-Governor of the said Isle for the Time being, for that Purpose, for which Licence he or she shall pay the Sum of four Pounds sixteen Shillings and Three-pence whereof to be paid into the Hands of the Clerk of the Rolls, to be added to the Fund for Repairing and Amending Highways and Bridges ; one Shilling and Twopence to the Governor's or Lieutenant-Governor's Secretary for the Time being ; and the remaining Sevenpence to the Clerk of the Rolls, who shall register and keep an Account of such Licences. And that any Person so exposing for Sale, Goods, Wares, or Merchandize, without such Licence, contrary to the true Intent and Meaning of this Act, shall incur a Fine or Penalty of ten Pounds for each and every Offence, to be paid and applied as follows : That is to say, One-half to the Informer, and the other Half to the Clerk of the Rolls, to be added to the said Fund for Making, Repairing, and Amending of Highways and Bridges ; and that on Information made, in Writing, supported by Affidavit, it shall and may be lawful for a Deemster or High Bailiff to issue his Warrant to apprehend and imprison in Castle Rushen any Person so exposing Goods, Wares, or Merchandize, without a Licence, contrary to the Provisions of this Act, and order his or her Packs, Wares, or Merchandize to be secured ; and that the Offender shall so remain a Prisoner until he or she be discharged by the Governor or Lieutenant-Governor for the Time being, on paying the said Fine, with Costs, or giving Security for the Payment of the same, on Conviction before the Governor or Lieutenant-Governor as herein-after provided ; and that such Goods, Wares, and Merchandize be detained until the said Fine be paid or Security be given for the Payment of the same.

10. And be it enacted, That such Licences shall be issued yearly between the tenth of October and the first Day of November in each Year, and at such other Times as may be ordered occasionally by the Governor or Lieutenant-Governor for the Time being, and shall continue in Force until the first day of November next after the Date of such Licences and no longer. And that every such Hawker and Pedlar shall have his Name and the Words " Licensed Hawker and Pedlar," affixed in legible Characters upon his Pack or Box, under a Penalty of ten Shillings for each and every Default.

11. And be it further enacted by the Authority aforesaid, That from and after the tenth Day of October next ensuing the Promulgation of this Act, every Person keeping one or more than one Cart, Car, or Dray, shall for and in respect of every Cart, Car, or Dray which he may so keep and use, send one sufficient Cart and one able and sufficient Horse and Driver, one Day in each and every Year to be employed in Making, Repairing, and Amending the Highroads and Bridges of this Isle, at the Requisition and under the Direction of the Parochial Surveyor of the District in which the Proprietor or Person keeping and using such Cart, Car, or Dray may reside, in like Manner as is prescribed for the Performance of Parochial Labour, in and by an Act of Tynwald passed in the Year of our Lord one thousand seven hundred and seventy-six ; and that any Person keeping and using more than one Cart, Car, or Dray, shall be obliged at the Option of the Parochial Surveyor aforesaid, to send a double Cart or Car, with two able and sufficient Horses and one Driver in lieu of two such single Carts : Provided that Nothing herein contained shall exempt any such Person from the Performance of the Highroad Labour heretofore and already established by Law.

12. And whereas the Mode pointed out by the said Statute of one thousand seven hundred and seventy-six, for the Punishment of Persons neglecting to perform their Parochial Labour, has been found defective and insufficient : Be it further enacted, That in case any Person or Persons, after having received two Days Notice from the Parochial Surveyor, shall neglect or refuse to perform the said Statute Labour, or the additional Labour created by this Act, that the said Parochial Surveyor shall thereupon forthwith make Presentment of such Default, and cause the Party to be summoned before a Deemster : and the Party so offending, shall, upon Conviction, be fined in the Sum of one Shilling and Ninepence for each and every Labourer so neglecting to attend

Hawkers and Pedlars, except with Victuals and Articles the Produce and Manufacture of Island, to have Licence.

Clerk of Rolls to register such Licences.

Penalty for Hawking without Licence.

Deemster or High Bailiff may issue Warrant to apprehend Offender.

When Licence to be issued.

Hawker's Name to be on Pack.

Additional Cart Duty Labour to Highways.

Ancient Cart Duty Labour continued.

After two Days Notice from Parochial Surveyor, Labour to be performed.

Penalty for Non-Performance

and perform such Labour; and in the Sum of four Shillings and Eightpence for each and every Default in not sending such single Cart, Horse, and Driver; and in the Sum of eight Shillings and Twopence for each and every Default in not sending such double Car or Cart with two Horses and Driver; and that such Defaulters shall be ordered to be imprisoned until such Fines with the Costs of Suit be discharged; which Fines shall not be construed, deemed, or taken to be in Satisfaction of such Labour, but that such Defaulters shall at all Times afterwards be liable to be again noticed to perform such Labour, and shall be liable to be fined in Manner aforesaid for every subsequent Default in not performing the same; and that the Parochial Surveyor shall make a Return of and Account for the Fines aforesaid in their annual Accounts.

Return of Fines to be made by the Surveyor.

Spring Carriages to pay Duty yearly for every Wheel.

Highway Duty Labour not to be commuted for Money.

Trenches to be made on Field-side of Highways.

Road not to exceed 10 Yards in Breadth.

Committee may raise Money by way of Loan, with Consent of Tynwald Court.

Principal and Interest to be payable and paid out of said Funds.

Committee may appoint Byeway to Highway, not exceeding six Yards in Breadth.

Committee may contract for keeping any Part of Highway in repair.

Tynwald Court may alter Orders of Committee, Rule of the Road.

Owners of Carts, &c. liable to Damages.

13. And be it further enacted by the Authority aforesaid, That from and after the tenth Day of October next ensuing the Promulgation of this Act, every Person keeping and using a wheeled Carriage, supported by or hung upon Springs, shall yearly and every Year pay an Impost or Duty of five Shillings and Tenpence for each and every Wheel of such Carriage, to be collected by the Parochial Surveyor, and added to the Highroad Fund.

14. And whereas the unlawful Practice has lately prevailed for Surveyors of Highroads to receive Money in lieu of the Statute Labour due from Individuals on account of their respective Lands and Houses, engaging to provide Labourers and to pay for the same; and whereas such Practice has a manifest tendency to Collusion, be it enacted, that such Commutation or intermediate Agency of such Surveyor shall subject him and the Party with whom he may so commute the said Highroad Labour, to a Fine of ten Shillings each for every such Offence, to be recovered at the Suit of the Committee of Highways, and paid into the Hands of the Clerk of the Rolls, and added to the said Fund for Making, Repairing, and Amending of Highways and Bridges.

15. And whereas the Practice of excavating Ditches or Trenches within the Fences of the public Highways, is in most Cases not only useless but dangerous: Be it therefore enacted, by the Authority aforesaid, That where a Trench is deemed necessary for carrying off the Water from the adjoining Lands or Highroads, such Trench shall, in all practicable Cases, be made on the Field side of the Fence of the Road, and that the Site of the present Trenches shall be considered as a Part of the Highroad: Provided always, that the Breadth of such Highroad from Fence to Fence shall in no Case exceed ten Yards, without the special Direction of the Tynwald Court on good Cause shewn.

16. And be it enacted, by the Authority aforesaid, That the Committee of Highways for the Time being, shall be, and are hereby authorized and empowered to raise by way of Loan, upon Security of the aforesaid Funds, any Sum or Sums of Money which it may be thought expedient to raise, and shall be resolved or ordered by a Tynwald Court from Time to Time for the Making, Repairing, and Amending of the Highways and Bridges aforesaid, upon such lawful Interest as may be agreed upon; and all and every such Sum or Sums of Money so borrowed upon the Security of the aforesaid Funds, shall be paid, applied, and disposed of to and for the Making, Altering, and Repairing of the said Highways and Bridges, in such and the like Manner as the said Funds are directed to be paid, applied, and disposed of; and that the Principal and Interest of such Loans as and when the same shall become payable, shall be payable and paid from and out of the said Funds. And that the said Committee, or a Majority of them, shall also have it in their Power, at their Discretion, to assign, allow, and appoint to the Proprietors of Land situate near to any new Highway, to be made a Byeway or Road to the said Highway, not exceeding six Yards in Breadth, such Proprietors well and sufficiently enclosing such Byeway or Road, and making such Compensation for the same to the Owner or Owners of the Lands through which the said Byeway or Road may be directed as aforesaid, as the Committee in their Judgment shall think proper to allow; provided that the same be not directed through any House, Garden, Orchard, Yard, Avenue, or Plantation, adjoining or near unto any Dwelling House; and that it shall also be in the Power of the said Committee, or a Majority of them for the Time being, to contract with any Person or Persons for the repairing or keeping in Repair of any particular Line of Road, and to assign and appoint to any such Person or Persons any Portion or District of the Parochial Highway Labour and of the Highroad Labour created by this Act. on account of such Contract, with full Powers to enforce the Payment or Performance of such Parochial Labour.

17. And be it further enacted by the Authority aforesaid, That the Orders and Proceedings of the Committee of Highways for the Time being, shall be subject to be revised, altered, amended or revoked by the Governor, Council, Deemsters, and Keys in Tynwald assembled, whose Order therein shall be final and not liable to Appeal.

18. And be it further enacted by the Authority aforesaid, That from and after the Promulgation of this Act, the Drivers of Carts, Cars, Drays, and other Carriages, upon or through any Highway or Common Street, shall drive the same on the Left-hand Side, in case of Meeting with any Cart, Car, Dray, or Carriage, on Pain of forfeiting and paying for every Default a Fine of ten Shillings; One-half to be paid to the Informer, and the other Half to be paid into the Hands of the Clerk of the Rolls, to be added to the Highway Fund, and disposed of accordingly. And that the Owners as well as

Drivers of Carts, Cars, Drays, and other Carriages, taking the wrong Side of the Road, shall be liable to such Damages as may be occasioned to any other Person or Persons by reason of the same.

19. And be it further enacted by the Authority aforesaid, That from and after the Promulgation of this Act, if the Driver of any Cart, Car, or Dray, drawn by two or more Horses, shall ride upon such Cart, Car, or Dray, in or through a Market Town or Village; or if the Driver of any Cart, Car, or Dray, drawn by one Horse only, without having proper Reins in Hand to guide such Horse, shall ride upon such last mentioned Cart, Car, or Dray, in or through a Market Town or Village; and if the Driver of any Cart, Car, or Dray, drawn by two or more Horses, shall drive such Cart, Car, or Dray, upon any public Highroad without having proper Reins or Lines to guide such Horses, every such Driver so offending shall be subject to a Fine of ten Shillings; One-half to be paid to the Informer, and the other Half to be paid into the Hands of the Clerk of the Rolls, to be added to the Highway Fund, and disposed of accordingly.

Driver of two-horse Cart, not to ride through Towns.

Driver of one-horse Cart to have Reins if he rides.

20. And be it further enacted by the Authority aforesaid, That every Cart, Car, and Dray shall be inscribed with the Name of the Owner or Keeper of the same, together with the Parish or Town where he resides, painted in white Letters not less than one Inch in Length, on a black Ground, upon the near or left Side of the Body of the same, under the Penalty of ten Shillings for every Default; One-half to go to the Informer, and the other Half to be added to the Highroad Fund: and that the said several Fines of ten Shillings, shall be recoverable and are hereby directed to be recovered before a Deemster or High Bailiff, at the Suit of the Parochial Surveyor of the District in which the Offence is committed; save and except where the same is herein before provided to the contrary. And that all other Fines and Forfeitures created and made payable by this Act, shall be prosecuted for and recovered by the Directions and in the Name of the Committee of Highways, before the Governor or Lieutenant-Governor for the Time being: Provided that in all Cases where any Person shall be imprisoned for Non-Payment of any of the Fines and Forfeitures aforesaid, that such Person shall not be liberated, before he or she shall have paid the said Fine, or until he or she shall have undergone Imprisonment for three Calendar Months.

Carts and Drays to have Owner's Name on left Side.

Penalty for Default, 10s.

Imprisonment for Non-Payment of Fines.

21. And whereas the Inhabitants of Market Towns in the said Isle, are subject to the Burthen of Paving the Streets in the said Towns, in respect of their Houses and Tenements within the same; and are also bound in respect of such Houses and Tenements to perform their Parochial Labour to the Highways, which is found in many Instances to bear hard on Individuals: Be it therefore further enacted, by the Permission and Authority aforesaid, That the Committee of Highways or a Majority of them, shall upon Application made to them for that Purpose, grant such Aid, Relief, and Indemnity from and out of the Highway Fund or otherwise, in case of Individual Hardship, as they shall judge proper, upon Consideration of the Circumstances of the Party and the Nature of the Case.

Inhabitants of Towns subject to Burthen of Paving Streets. Expence may be aided out of Highway Fund.

22. And whereas the Limits of all Towns are liable to change from the Decay or Increase of their Buildings, and Doubts and Disputes may arise in consequence: Be it enacted, That it shall and may be lawful for the High Bailiff of a Town jointly with the Committee of Highways, to determine from Time to Time the Limits and Boundaries of such Towns by written Order under their Hands, which shall be recorded in the Office of the Clerk of the Rolls, and an official Copy thereof shall be hung up in some conspicuous Place in the Office or Court-Room of the said High Bailiff; and the Limits so ordered shall be deemed and taken to be the Limits and Boundaries of the said Town for all Purposes whatsoever.

Limits of Towns to be regulated by High Bailiff and Committee.

23. And be it enacted, That every Parochial Surveyor appointed or to be appointed after the Promulgation of this Act, shall enter into a Bond at the Rolls Office, with two good and sufficient Sureties, in the Sum of one hundred Pounds to the Committee of Highways for the Time being, and their Successors in Office, conditioned for the faithful Conduct of such Surveyor, the Discharge of his Duties according to Law, and the forthcoming of such Monies as he may obtain or possess himself of, in Virtue or Colour of his Office; and that the Penalties of such Bonds when recovered, shall be paid into the Hands of the Clerk of the Rolls, and be added to the Highway Fund; and that the Committee of Highways shall have Power to remunerate such Parochial Surveyors at their Discretion with any Sum not exceeding two Shillings and Elevenpence for each Day's Attendance to their Duty as Parochial Surveyors.

Parochial Surveyor to give Security for faithful Conduct.

24. And be it further enacted, That the said Sums, Imposts, and Duties payable under this Act for Dogs and Carriages, are to be collected and received by the Parochial Surveyor or Surveyors of the Highways in each Parish, between the first Day of September and the first Day of March in each and every Year; and that the said several Parochial Surveyors, shall make out a regular, true, and particular Account in Writing, of such Dogs and Carriages, and by whom kept severally and respectively; and a like Account of the Highroad Labour created by this Act, and of the Highroad Labour performable under the said Act of Tynwald, passed in the Year one thousand seven hundred and seventy-six, and by whom performable, together with an Account of the Application of the same; which Accounts shall be countersigned by the Surveyor

Dog and Carriage Duties to be collected between 1st of September and 1st of March yearly.

Accounts to be kept and countersigned by Surveyor General of Parish. One Shilling in the Pound for collecting.

Clerk of the Rolls and Committee to audit Accounts yearly between 25th June and 5th July.

Accounts to be published in Insular Newspapers.

Committeemay appoint Clerk.

List of Persons taking Licences to be published in Insular Papers yearly.

Forging the Governor's Licence, Felony.

Act to remain in Force five Years from Promulgation thereof.

General of the Parish or District, if such there be, and shall be annually given into and received by the Clerk of the Rolls for the Time being, between the twenty fifth Day of June and the fifth Day of July, with such Sums, Imposts, and Duties as shall be levied and collected by the said Parochial Surveyors; who are thereupon to be paid for their Trouble in collecting and paying the same, the Sum of one Shilling out of the Pound out of such Money, the Remainder whereof shall be added to the said Fund for Making, Repairing, and Amending Highways and Bridges, and disposed of accordingly. And in case any Doubt or Dispute shall arise concerning the levying and collecting the said several Sums so ordered to be paid on account of such Dogs and Carriages, the same shall be heard and finally determined by or before a Deemster or High Bailiff, according to the Amount of the Sum in Dispute, who may grant an Order for the Imprisonment of the Party until such Sum or Sums be paid, with Costs: and that the Clerk of the Rolls and the Committee of Highways or a Majority of them for the Time being, shall yearly and every Year between the twenty-fifth Day of June and the fifth Day of July, audit the said Parochial Surveyors' Accounts, and the general Accounts of the said Highroad Fund, and lay the same before the next Tynwald Court; and on the said Accounts being approved and passed, the same shall by Order of the said Court, be published in one or more of the Insular Newspapers, for the Information and Satisfaction of the Public; and that it shall and may be lawful for the said Committee to nominate and appoint a Clerk for the Purpose of keeping a regular Record of their Accounts, Orders, and Proceedings, to be returned into the Office of the Clerk of the Rolls before the first Day of July in each Year, and for the Purpose of communicating their Orders and otherwise acting under their Directions in the Execution of their public Duty; and that it shall and may be lawful for them to remunerate the said Clerk from the Highroad Fund with a Salary not exceeding ten Pounds annually; and that it shall and may be lawful for the said Committee to apply such Portion of the said Funds as may be requisite for the Purchase of Stationary for the publishing of their Accounts and other incidental Disbursements of a similar Nature.

25. And be it further enacted by the Authority aforesaid, That as soon as may be after the first Day of November next after the Promulgation of this Act, the Clerk of the Rolls shall cause a List of the several Persons who shall have obtained Licences to sell and retail Wine, Spirits, and Ale, and keep Public Houses, and of the several Persons who shall have obtained Hawkers' or Pedlars' Licences, to be published once in one or more of the Insular Newspapers, at the Expence of the Highroad Fund, and such List shall continue to be so published once, after the first Day of November in each and every Year.

26. And be it further enacted by the Authority aforesaid, That the felonious and false making, forging, counterfeiting, or altering, or causing or procuring to be made, forged, counterfeited, or altered, or the willingly acting or assisting in the false making, forging, counterfeiting, or altering any Licence of the Governor or Lieutenant-Governor for the Time being, to be issued in Virtue of this Act, or the felonious uttering or publishing as true any such false, forged, counterfeited, or altered Licence, with Intent to avoid the Payment of the Sum or Duty payable for and in respect of such Licence, shall be held to be Felony and Forgery, and punishable in like Manner as is provided in the Case of Forgery, in and by an Act of Tynwald passed in the Year of our Lord one thousand eight hundred and seventeen.

27. And be it further enacted by the Authority aforesaid, That this Act shall commence and take Effect from the tenth Day of October next ensuing the Promulgation thereof, and shall continue and be in Force for the Term and Space of five Years thereafter and no longer.

Thomas Gawne, Deemster.

C. Smelt, Lieut.-Governor.
R. Steuart.
George Quirk.
J. M'Hutchin.

The Keys.

Wm. Cuninghame,
Alexander J. Goldie,
Robert Farrant,
John Moore,
Wm. L. Drinkwater,
Thomas Mylrea,
John C. Crellin,
Thomas Harrison, jun.

J. Cuming,
C. Heywood,
J. J. Heywood,
Robert Quayle,
John Cassar Gelling,
John Llewellyn,
John Hughes,
M. Wilks.

At the Court at Carlton House the 6th October 1819.

PRESENT.

His Royal Highness The Prince Regent in Council.

Whereas there was this day read at the Board a Report from the Committee of the Lords of His Majesty's most Honourable Privy Council dated the 2nd of August last in the words following viz. :

" Your Royal Highness having been pleased by your Order in Council of the 30th of July last in the name and on the behalf of His Majesty, to refer unto this Committee a letter from the Right Honourable Viscount Sidmouth one of His Majesty's Principal Secretaries of State, to the Lord President of the Council transmitting an Act passed by the Legislature of the Isle of Man intituled as follows viz. :

" An Act for the better making repairing and amending of Highways and Bridges."

The Lords of the Committee in obedience to Your Royal Highness's said order of Reference have taken the said letter and Act into consideration and do agree humbly to lay the said Act before Your Royal Highness as proper to receive Your Royal Highness's confirmation in the name, and on the behalf of His Majesty.

His Royal Highness the Prince Regent having taken the said Report into consideration, was pleased, in the name and on the behalf of His Majesty and by and with the advice of His Majesty's Privy Council to approve thereof and to order as it is hereby ordered that the said Act be and it is hereby confirmed. And the Right Honourable Viscount Sidmouth one of His Majesty's Principal Secretaries of State is to take the necessary measures herein accordingly.

JAS. BULLER.

At a Tynwald Court holden at St. John's Chapel the 29th Day of December, in the Year of our Lord 1819.

The before written Act of Tynwald, intituled, "An Act for the better Making, Repairing, and Amending of Highways and Bridges," having received the Royal Assent at the Court at Carlton House, the sixth Day of October, in the Year of our Lord one thousand eight hundred and nineteen, present, his Royal Highness the Prince Regent in Council, the said Act was this Day promulgated and published on the Tynwald Hill, according to the ancient Form and Custom within the said Isle ; as witness our Subscriptions :

T. Gawne, Deemster.

C. Smelt, Lieut.-Governor.
G. Sodor and Man.
R. Steuart, Receiver-General.
George Quirk.
J. M'Hutchin.
T. Stephen.

The Keys.

George Quayle,
W. Leese Drinkwater,
John Quilliam,
J. J. Heywood,
John Quane,
John Llewellyn,
John Hughes,
C. Heywood,

John Moore,
Cæsar Tobin,
John Cæsar Gelling,
John C. Crellin,
Edward Gawne,
William Cuninghame,
James Cumming.

ISLE OF MAN, to wit.

At a Tynwald Court holden at Castle Rushen, the 22d Day of October, in the fifty-ninth Year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord one thousand eight hundred and nineteen, before the Honourable Cornelius Smelt, Lieutenant-Governor, the Council, Deemster, and Keys of the said Isle.

CHAPTER III.

An Act to provide for the Commencement and taking Effect of certain Provisions of an Act of Tynwald passed by the Legislature of the said Isle, at a Tynwald Court holden the 5th Day of July, one thousand eight hundred and nineteen, intituled, "An Act for the better Making, Repairing, and Amending of Highways and Bridges."¹

Highroad
Act of 1819
recited.

To take
Effect from
the 10th of
October,
1819.

Whereas in and by the said Act for the better Making, Repairing, and Amending of Highways and Bridges, certain Provisions of the said Act are declared to commence and take Effect from and after the tenth Day of October next ensuing the Promulgation of the said Act. And whereas the said Act was transmitted to be laid before his Royal Highness the Prince Regent, for the Royal Sanction and Confirmation; and having received the Royal Sanction and Confirmation, the said Act has been returned to the said Isle, but did not arrive therein until the thirteenth Day of October, one thousand eight hundred and nineteen, so that the same could not be promulgated before the tenth Day of October aforesaid. And whereas it was expected and understood at the Time of the passing of the said Act, that the same would be promulgated before the said tenth Day of October, one thousand eight hundred and nineteen; and that the Provisions of the said Act, which were to commence and take Effect from the tenth Day of October next ensuing the Promulgation of the said Act, should and would take Effect from the tenth Day of October, one thousand eight hundred and nineteen. And whereas much Inconvenience would ensue, in Case the Commencement and taking Effect of the said Provisions of the said Act, were postponed beyond the Time originally intended:

We, therefore, your Majesty's most dutiful and loyal Subjects, the Lieutenant-Governor, Council, Deemster, and Keys of the said Isle, in Tynwald assembled, do humbly beseech your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the Advice of the Lieutenant Governor, Council, Deemster, and Keys of the said Isle, and by the Authority of the same, That the several Provisions of the said Act of Tynwald which are therein and thereby declared to commence and take Effect from and after the tenth Day of October next ensuing the Promulgation of the said Act, shall commence and take Effect from the tenth Day of October, one thousand eight hundred and nineteen, in such and the like Manner to all Intents and Purposes as if the said Act had been promulgated before the said tenth Day of October, one thousand eight hundred and nineteen: Provided, nevertheless, that Nothing herein contained shall extend or be construed to extend to subject any Person or Persons to any Penalty or Forfeiture for any Act done between the said tenth Day of October, one thousand eight hundred and nineteen, and the Promulgation of this Act.

T. Gawne, Deemster.

C. Smelt, Lieut.-Governor.
J. M'Hutchin.
George Quirk.

The Keys.

John Taubman,
Thomas Harrison, jun.
Robert Farrant,
Thomas Mylrea,
Edward Gawne,
Wm. Cuninghame,
M. Wilks,
John C. Crellin,
W. Leece Drinkwater,

Calcott Heywood,
John Llewellyn,
J. J. Heywood,
John Cæsar Gelling,
John Hughes,
Robert Quayle,
J. Cumiag,
John Moore,
J. Quilliam.

¹ Expired 10th October 1830.

At the Court at Carlton House, the 8 Decr. 1819.

PRESENT :

His Royal Highness the Prince Regent,

Lord Privy Seal, Earl of Mulgrave, Duke of Montrose, Lord Charles Spencer, Lord Stewart, Viscount Jocelyn, Lord Chamberlain, Lord George Beresford, Earl of Liverpool, Lord Bathurst, Mr. Wellesley Pole.

Whereas there was this day read at the Board a Report from a Committee of the Lords of His Majesty's most Honorable Privy Council dated the 2nd of this Instant, in the words following : viz :—

"Your Royal Highness having been pleased by Your Order in Council of the 20th Ult. in the name and on the behalf of His Majesty, to refer unto this Committee a Letter from the Right Honorable Viscount Sidmouth, one of His Majesty's Principal Secretaries of State, to the Lord President of the Council, transmitting an Act passed by the Legislature of the Isle of Man, intituled as follows, viz :

"An act to provide for the commencement and taking effect of certain provisions of an Act of Tynwald passed by the Legislature of the said Isle at a Tynwald Court holden the 5th day of July 1819 intituled, 'An Act for the better making repairing and amending of Highways & Bridges.' "

The Lords of the Committee, in obedience to Your Royal Highnesses said Order of Reference have taken the said letter and Act into consideration, and do agree humbly to lay the said Act before Your Royal Highness, as proper to receive Your Royal Highness's Confirmation, in the name and on the behalf of His Majesty.

His Royal Highness the Prince Regent, having taken the said Report into consideration was pleased in the name and on the behalf of His Majesty and by and with the advice of His Majesty's Privy Council to approve thereof and to order, as it is hereby ordered that the said Act be and it is hereby confirmed, and the Right Honorable Viscount Sidmouth, one of His Majesty's Principal Secretaries of State, is to take the necessary measures herein accordingly.

CERTWYND.

At a Tynwald Court holden at St. John's Chapel the 29th Day of December, in the Year of our Lord 1819.

The before written Act of Tynwald, intituled, "An Act to provide for the Commencement and taking Effect of certain Provisions of an Act of Tynwald, passed by the Legislature of the said Isle, at a Tynwald Court holden the 5th Day of July, one thousand eight hundred and nineteen, intituled, 'An Act for the better Making, Repairing, and Amending of Highways and Bridges,' " having received the Royal Assent at the Court at Carlton House, the 8d of December, 1819, present, his Royal Highness the Prince Regent in Council, the said Act was this Day promulgated and published on the Tynwald Hill, according to the ancient Form and Custom within the said Isle, as witness our Subscriptions :

T. Gawne, Deemster.

C. Smelt, Lieut.-Governor.
G. Sodor and Man.
R. Steuart, Receiver-General
George Quirk.
John M'Hutchin.
T. Stephen.

The Keys.

George Quayle,
W. Leece Drinkwater,
John Quane,
John Quilliam,
J. J. Heywood,
John Llewellyn,
C. Heywood,
John Hughes,

John Moore,
Cæsar Tobin,
John C. Crellin,
John Cæsar Gelling,
Edward Gawne,
Wm. Cuninghame,
J. Cuming.

See Bankruptcy code 1892. Sec. 3.

ISLE OF MAN, to wit.

Repealed. At a Tynwald Court holden at Castle Rushen, the 21st Day of July, in the first Year of the Reign of our Sovereign Lord George the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord one thousand eight hundred and twenty, before the Honourable Cornelius Smelt, Lieutenant Governor, the Council, Deemsters, and Keys of the said Isle.

An Act for the better enforcing of Common Judgments and Executions, and for altering and amending the Law relative to Bail to Actions of Debt or Damage, and for the Relief of Insolvent Debtors in the said Isle.

Execution.

Whereas the Remedies provided by the Law of the said Isle for Recovery of Debts under Common Judgment and Execution, are found not to be sufficiently coercive ; We, your Majesty's most dutiful and loyal Subjects, the Lieutenant-Governor, Council, Deemsters, and Keys of the said Isle, do humbly beseech your Majesty, that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lieutenant-Governor, Council, Deemsters, and Keys in Tynwald assembled, and by the Authority of the same,

On return of
nulla bona
or no Effects,
Defendant to
be committed
to Jail.

1. That from and after the Promulgation of this Act, in all Cases where sufficient Property and Effects cannot be discovered by the ordinary Mode of Procedure, to satisfy any such Judgment and Execution as aforesaid, to be granted by any Court, Judge, or Magistrate of the said Isle, for any Cause of Action which shall or may arise after the Promulgation of this Act, it shall and may be lawful to and for such Court, Judge, or Magistrate, and he and they is and are hereby authorized and required upon hearing of Parties, to order the Defendant or Debtor, unless he or she shew good Cause to the contrary, to be imprisoned in the common Jail, there to remain until he or she be discharged therefrom in Manner hereinafter mentioned ;

On Petition
to Chancellor
and surren-
der of Pro-

2. And thereupon such Defendant or Debtor so imprisoned, shall be at Liberty to prefer a Petition to the Chancellor of the said Isle for the Time being, praying to be

discharged from such Imprisonment ; which Petition shall be ordered to be heard in the ordinary Way of hearing Petitions by or before the Court of Chancery of the said Isle, and with all convenient speed ; and that upon such Debtor making and rendering a full, true, and particular Account, upon Oath, of all and singular his or her Property, of what Kind or Nature soever, to the Satisfaction of the said Court, and surrendering and giving up such Part of the same as is or may be by the Laws of the said Isle liable to be Sold for the Payment of Debts, for the Benefit of his or her Judgment Creditor or Creditors, as hereinafter provided, the said Court shall thereupon order that such Debtor be discharged from his or her Imprisonment aforesaid :

erty on
Oath, may be
discharged.

Provided nevertheless, that the future Property and Effects of such Debtor shall at all Times thereafter be liable to or for the Amount of such Judgment or Execution, or so much or such Part thereof as may remain unsatisfied, or unless such Debtor be freed or discharged from the same by Order of a Tynwald Court, upon special Application made for that Purpose.¹

Future pro-
perty liable.
Tynwald
may dis-
charge.

3. And be it further enacted, That in case any Person imprisoned as aforesaid, shall be possessed of or entitled unto any Lands of Inheritance, not liable to be Sold for the Payment of his or her Debts, such Person shall not be entitled to his or her Discharge from Imprisonment, until he or she do execute a Mortgage, chargeable upon such Lands of Inheritance, for the full Amount of such Prisoner's Debts for which Judgments shall have been obtained and lodged in the Hands of the Gaoler previous to such Prisoner obtaining his or her Discharge, and which Mortgage shall be granted in the Name or Names of a principal Creditor or Creditors of such Prisoner, in Trust for the Benefit of the Whole of such Judgment Creditors, and shall set forth the Names of, and the Amount of Debts due to such Creditors respectively ; and in Case any Dispute shall arise as to the Nomination of the Creditor or Creditors to whom such Mortgage shall be executed, the same shall be decided by a Majority in Number and Value of such Creditors : Provided that such Mortgage shall not destroy or invalidate the Executions or Judgments against the Debtor or Debtors, but that the same may at all Times be enforced in such and the like Manner as if no such Mortgage had been granted : Provided that in Case any such Mortgage shall afterwards be assigned or paid off, the Receipt of each

Debtor en-
titled to
Lands of
Inheritance
to execute
Mortgage
thereon to
principal
Creditor for
whole of
Debts.

Execution
not invali-
dated by
Mortgage.

¹ Repealed by Bankruptcy Act, 1872.

Clerk of
Rolls may
sign Receipt
on Payment
for absent
Creditor.

of the said Creditors interested therein, or of such Persons as legally represent such Creditors, shall be deemed necessary to cancel such Mortgage, or to render such Assignment thereof valid : Provided that in Case any Difficulty shall or may arise as to procuring any such Receipt to cancel or assign such Deed, that then and in such Case the Sum or Sums for which such Receipt or Receipts cannot be obtained, shall be deposited with the Clerk of the Rolls for the Use of the Person intitled to the same ; and the Receipt of such Clerk of the Rolls shall be sufficient to cancel or assign such Deed.

No Preference on Execution unless in Hands of Coroner 21 Days previous to others.

4. And be it further enacted, That no Priority or Preference of Payment shall be allowed for or in respect of any Execution or Executions on the sole Ground of being first executed, unless such Execution or Executions shall have been granted in a Cause called in open Court, and shall have been in the Hands of the Coroner or Lockman to be executed twenty-one Days at least before any other Execution against the Debtor or Defendant shall have been subsequently placed in the Hands of the said Coroner or his Lockman to be executed : Provided that Nothing herein before contained shall extend or be construed to extend to affect any Debt, Forfeiture, or other Due belonging to the Crown, or any Debt or Demand having a Preference of Payment by the Law of the said Isle.

Crown Debts &c. preferable.

Bail under Action of Arrest for personal Appearance only.

Attachment of Goods.

5. And whereas the present Mode of Bail to Actions of Arrest for Debt or Damage requires Amendment : Be it enacted, by the Authority aforesaid, That the Defendant to any such Action shall only be held to Bail to stand Trial and fulfil the Decree or Judgment to be made upon the Action, or to surrender himself or herself a Prisoner under the same ; and in Default thereof, that the said Bail shall be liable to satisfy the Decree or Judgment in the Place and Stead of such Defendant. And that in all Actions where the Defendant's Property shall be attached or arrested, the said Property shall be discharged from such Arrest or Attachment, upon Bail being given that the said Property shall be forthcoming to Answer the Decree or Judgment which shall or may be made upon such Action ; and in Default thereof that the said Bail shall be liable to satisfy such Decree or Judgment. And if any Doubt should arise whether the Property so arrested and given up upon Bail has been fully and duly rendered in Discharge of the Bail, the Burden of the Proof in such Question shall be upon the Bail.

6. And be it further enacted, That no Action of Arrest shall be granted against any Person for any Sum of Money under forty Shillings, unless Affidavit shall be made to the said Debt, and that the Plaintiff is apprehensive that such Person is about to depart the said Isle.

7. And whereas an Act of Tynwald was passed in the fifty-fourth Year of his late Majesty's Reign, for the Relief of Insolvent Debtors in the said Isle; which Act has expired; and it being deemed inexpedient to renew the same, it is therefore found necessary to make other Provisions for the Relief of Insolvent Debtors in the said Isle: Be it therefore enacted, by the Authority aforesaid, That it shall be lawful for the Governor or Lieutenant-Governor, Council, and Keys of the said Isle, in Tynwald assembled, from Time to Time as they shall judge expedient, and at such Time and Place as the Governor or Lieutenant-Governor for the Time being shall think proper to appoint, to take into Consideration the several Case and Cases of all and every Person and Persons who have been or may be imprisoned in the said Isle upon any Process whatever, for any Debt, Damage, Costs, Sum or Sums of Money, or Contempt for Non-Payment of Money; and upon such Person or Persons severally making a full, true, and particular Disclosure upon Oath, and in Writing, of all his, her, or their Property, real and personal, in Possession, Reversion, Remainder, or Expectancy, of every Nature and Kind whatsoever, which such Prisoner, or any other Person or Persons in Trust for such Prisoner, or for his or her Use, Benefit, or Advantage, in any Manner whatsoever, shall have been or shall be seized or possessed of or interested in or intitled unto, or which such Prisoner or any Person or Persons in Trust for him or her, or for his or her Benefit, shall have had or shall have any Power to dispose of or charge for the Benefit or Advantage of such Prisoner, to the Satisfaction of the said Tynwald Court, and making a Surrender or Transfer of the same for the Benefit of his, her, or their Creditors, in such Manner and Form as the said Tynwald Court shall direct, it shall and may be lawful to and for the said Tynwald Court to order such Person or Persons to be discharged from Imprisonment in respect of such Debt or Debts; and also to make such Order for the absolutely freeing and discharging such Debtor or Debtors, and his, or their future Property and Effects, from all or any of the Debts then due or owing by such Debtor or Debtors to any Person or Persons who shall be made legal Parties before the said Court, or for making such Debtor or Debtors, or his, her, or their future Property and Effects, liable to the said Debts or any Part of the same, as the said Tynwald Court shall in their Discretion think proper to order; which Order shall not be open to Appeal, but may be revised and altered upon further Hearing by and before the said Tynwald Court, upon good Cause shewn.

8. And that it shall be in the Power of the said Tynwald Court, to make and appoint such Rules and Regulations, from Time to Time, as to the Manner and Form of carrying this Act into Execution, in all Matters to be brought before them by Virtue of this Act, as the said Tynwald Court shall think proper and expedient, and also to alter or amend such Rules and Regulations, from Time to Time, at their Discretion: Provided, that Nothing herein contained shall extend to empower the said Tynwald Court to Discharge any Prisoner with respect to any Debt or Penalty with which he shall stand charged at the Suit of the Crown, or with respect to any Offence committed against any Law respecting the Customs or any other Branch of the public Revenue.

9. And be it further enacted, That if any Person or Persons shall wilfully forswear and perjure himself, herself, or themselves, in any Oath to be taken under this Act, and shall be lawfully convicted thereof, he, she, or they so offending shall suffer such Punishment as by Law may be inflicted on Persons convicted of wilful and corrupt Perjury.¹

10. And whereas the Provisions made by an Act of Tynwald passed in the Year of our Lord one thousand seven hundred and seventy-seven, for the Maintenance of Insolvent Debtors in Jail, is found to be in some Instances insufficient: Be it enacted, by the Authority aforesaid, That instead of the Allowance made by the said Act of

No Arrest
under 40s.

Insolvent
Debtors Act
of 1814 ex-
pired.

Tynwald
Court to con-
sider Case of
Insolvents.

Disclosure of
Property on
Oath.

On *cessio
bonorum* or
surrender of
Property,
Court may
discharge
Debtor.

No Appeal,
but re-hear-
ing may be
granted.

Tynwald
Court may
make Rules.

Perjury.

Maintenance
of Insolvent
7d. per Day.

¹ The powers by this Act vested in the Tynwald Court were for two years vested in Chancery Court by Act of 1848, and continued in Chancery Court till 6th July 1852 by Act of 1850, and permanently vested in such Court by Act of 1852. Repealed by the Bankruptcy Act, 1872.

Tynwald of one thousand seven hundred and seventy-seven, for the Maintenance of Insolvent Debtors in Jail, the Allowance in Future shall be any Sum not exceeding the Sum of Sevenpence per Day, and may be allowed as well before as after Judgment passed against the Debtor, at the Discretion of the Chancellor; and that the said Act of Tynwald, so far as concerns the Maintenance of Insolvent Debtors in Jail, do in every other respect remain unaltered.

	C. Smelt, Lieut.-Governor.
	G. Sodor and Man.
Thomas Gawne, }	R. Steuart, Receiver-General.
J. M'Hutchin, }	George Quirk, Water-Bailiff.
	R. Cuninghame, Act. Att.-G.
	T. Stephen.

The Keys.

George Quayle,	Wm. Cuninghame,
John Christian,	John Quane,
Thomas Harrison,	John Cæsar Gelling,
Robert Quayle,	John C. Crellin,
John Llewellyn,	J. J. Heywood,
J. Cuming,	M. Wilks,
Cæsar Tobin,	W. Leece Drinkwater,
John Quilliam,	C. Heywood,
Alexander J. Goldie,	John Hughes.
William Farrant,	

At the Court at Carlton House the 20th October 1820.

PRESENT:

The Kings most Excellent Majesty in Council.

Whereas there was this day read at the Board a Report from a Committee of the Lords of His Majestys most Honorable Privy Council dated the 17th of this Instant in the words following viz:

“ Your Majesty having been pleased by Your order in Council of the 14th of this Instant to refer unto this Committee a letter from the Right Honorable Viscount Sidmouth one of His Majesty's Principal Secretaries of State to the Lord President of the Council transmitting an Act passed by the Legislature of the Isle of Man intituled as follows viz:

“An Act for the better enforcing of Common judgments and executions and for altering and amending the Law relative to Bail in Actions of Debt or Damage and for the Relief of Insolvent Debtors in the Isle of Man.”

The Lords of the Committee in Obedience to Your Majesty's said Order of Reference have taken the said letter and act into Consideration and do agree humbly to lay the said Act before Your Majesty as proper to receive Your Majesty's Royal Confirmation.

His Majesty having taken the said Report into Consideration was pleased by and with the Advice of His Privy Council to approve thereof and to order as it is hereby ordered that the said Act be and it is hereby Confirmed and the Right Honorable Viscount Sidmouth, One of His Majesty's Principal Secretaries of State is to take the necessary measures herein accordingly.

JAS. BULLER.

At a Tynwald Court holden at St. John's Chapel, the 1st Day of November, in the Year of our Lord 1820.

The before written Act of Tynwald, intituled, “An Act for the better enforcing of Common Judgments and Executions, and for altering and amending the Law relative to Bail to Actions of Debt or Damage, and for the Relief of Insolvent Debtors in the said Isle,” having received the Royal Assent, at the Court at Carlton House, the 20th of October, 1820, Present, the King's Most Excellent Majesty in Council, the said Act was this Day promulgated and published on the Tynwald Hill, according to the ancient Form and Custom within the said Isle, as witness our Subscriptions :

	C. Smelt, Lieut.-Governor.
	G. Sodor and Man.
Thomas Gawne, } Deemsters.	R. Steuart, Receiver-General.
J. M'Hutchin, }	T. Stephen.
	R. Cuninghame.
	George Quirk.

The Keys.

George Quayle,
John Quane,

Robert Quayle,
John C. Crellin,

John Jos. Heywood,
Cæsar Tobin,
John Llewellyn,
J. Quilliam,
W. Leece Drinkwater,
John Cæsar Gelling,

Calcott Heywood,
William Farrant,
John Hughes,
Thomas Harrison,
James Cuming,

ISLE OF MAN, }
to wit. }

At a Tynwald Court holden at Castle Rushen the twenty fourth day of December in the third year of the reign of our Sovereign Lord George the fourth by the Grace of God of the United Kingdom of Great Britain and Ireland King Defender of the Faith and so forth and in the year of our Lord one thousand eight hundred and twenty two. Before the most Noble John Duke of Atholl Governor in Chief of the said Island, the Council Deemsters and Keys of the said Isle—

An Act to prevent Brewing making or manufacturing Ale or Beer from Sugar Molasses or any other ingredients substituted for Malt and Hops.¹

Whereas the practice of brewing Ale and Beer from Sugar and Molasses and other Ingredients substituted for Malt and Hops is highly injurious to the agricultural Interests of this Island and the health of His Majesty's subjects. We therefore Your Majesty's most Dutiful and loyal subjects the Governor Council Deemsters & Keys of the said Isle in Tynwald assembled do humbly Beseech Your Majesty that it may be enacted And Be It Enacted by the Kings most Excellent Majesty by and with the advice of the Governor Council Deemsters and Keys of the said Isle and by the authority of the same,

No ingre-
dient to be
substituted
for Hops or
Malt.

Penalty.

Penalties to
be sued for
by Attorney-
General.

Governor
may order
seizure of
adulterated
Ale, &c.

1. That from and after the Promulgation of this Act no common Brewer Dealer or Dealers in or Retailer or Retailers of Ale or Beer shall use any Sugar Molasses Honey Vitriol Quassia Coculus Indis Grains of Paradise Guinea Pepper Opium Wormwood or any Extract or preparation of Sugar Molasses Honey Vitriol Quassia Coculus Indis Grains of Paradise Guinea Pepper Opium Wormwood or any article Ingredient or preparation whatsoever for or as a substitute for Malt or Hops in the Brewing making manufacturing mixing with recovering or colouring any Ale or Beer or liquor made to imitate Ale or Beer on Pain of paying and forfeiting for every offence the sum of Three Hundred Pounds British and also forfeiting all such Ale or Beer or other liquor Brewed made or mixed as aforesaid and also all the Beer Grounds Stale Beer Sugar Molasses Honey Vitriol Quassia Coculus Indis Grains of Paradise Guinea Pepper Opium Wormwood and every other material or Ingredient as aforesaid (other than Malt and Hops) in the Custody or possession of such Common Brewer Dealer or Dealers Retailer or Retailers of Ale or Beer.

2. And Be it further Enacted by the Authority aforesaid that all Fines and Forfeitures under this Act shall be sued for and recovered by Information in the name of His Majesty's Attorney General in the Court of Exchequer of this Island and that One moiety of all such fines together with the whole of the said articles materials or Ingredients which may be adjudged forfeited under the provisions of this Act shall be to his Majesty his Heirs and Successors and that the other moiety of such fines shall be paid to him her or them who shall discover and give information against the Offender.

3. And that It shall and may be lawful for the Governor or Lieutenant Governor of the said Isle for the time being upon Information being filed in the Court of Exchequer as aforesaid to order the arrest and detention of such Ale or Beer or liquor made to imitate Ale or Beer Beer Grounds Stale Beer Sugar Molasses Honey Vitriol Quassia Coculus Indis Grains of Paradise Guinea Pepper Opium Wormwood and all other materials set forth in such Information as having been used by such Brewer Dealer or Retailer of Ale or Beer as substitutes for Malt or Hops until the final hearing of the said Information and unless good cause be shewn to the Contrary.

¹ Expired 10 Oct. 1824. Revived and continued by Act of 1824 till 10th October 1825 when it expired.

And if any question shall arise whether any liquor which shall be arrested or detained be liquor brewed made manufactured or prepared from any other material or Ingredient as aforesaid (other than Malt and Hops) that the proof of such liquor not being liquor brewed made manufactured or prepared from other materials than Malt and Hops shall lie on the owner or claimers thereof Provided nevertheless that all prosecutions under this Act be commenced within twelve months after any fine or forfeiture be incurred as aforesaid and at no time afterwards.

4. And Be it further Enacted that this Act shall continue in force until the tenth day of October which will be in the year of Our Lord One thousand Eight hundred and twenty four and no longer save and except as to all cases which shall have been determined under the same before the s^d tenth day of October One thousand eight hundred and twenty four And also save and except as to all such cases which shall be commenced under this Act and shall be then depending and not determined respecting which cases so determined or so depending this Act is declared to continue in force.

Proof of
purity of Ale
to lie upon
Defendant.

Act to con-
tinue till 10
October
1824.

T Gawne,
J. J. Heywood, } Deemsters.

Atholl, Governor.
G. Sodor & Mann.
Robt. Stewart Rec. Genl.
J. M^cHutchin.
Geo. Quirk.
T. Stephen.

The Keys.

George Quayle,
John Christian,
A. Dunlop,
John Llewellyn,
Tho^s Harrison,
J. Quilliam,
Cæsar Tobin,
W^m Leece Drinkwater,
John Cæsar Gelling,
J. Cumming,

Robt. Quayle,
W^m Cunninghame,
Edw^d Gawne,
Alex^r John Goldie,
John Moore,
John C. Crellin,
Calcott Heywood,
W. Kelly,
John Hughes,
W^m Farrant.

At the Court at Brighton the 3d day of April 1823.

PRESENT :

The King's most Excellent Majesty in Council.

Whereas there was this day read at the Board a Report from a Committee of the Lords of His Majesty's most Honorable Privy Council dated the 7th of last month in the words following—viz.—

Your Majesty having been pleased by Your Order in Council of the 31st of January last, to refer unto this Committee a Letter from the Right Honorable Robert Peel one of His Majesty's Principal Secretaries of State, to the Lord President of the Council, transmitting an act passed by the Legislature of the Isle of Man intituled as follows viz.

"An act to prevent brewing making or manufacturing, Ale or Beer from Sugar, Molasses and any other Ingredients substituted for Malt and Hops."

The Lords of the Committee in Obedience to Your Majesty's said Order of Reference have taken the said Letter and Act into consideration, and do agree humbly to lay the said Act before Your Majesty as proper to receive Your Majesty's Royal Confirmation.

His Majesty having taken the said Report into consideration, was pleased, by and with the Advice of His Privy Council, to approve thereof and to order, as it is hereby Ordered, That the said Act be, and it is hereby confirmed. And the Right Honorable Robert Peel, One of His Majesty's Principal Secretaries of State, is to take the necessary measures herein accordingly.

G. C. GREVILLE.

At a Tynwald Court holden at St. Johns Chapel the 28th day of April 1823.

The foregoing Act intituled an Act to prevent brewing making or manufacturing Ale or Beer from Sugar Molasses and any other Ingredients substituted for Malt and Hops having received the Royal Assent was this day promulgated on the Tynwald Hill according to the ancient custom and usage of the Island.

J. J. Heywood, Deemster.

Atholl, Governor.
G. Sodor & Mann.
J. Quirk, Actg. Atty. Genl.
Robt. Stewart, Rec. Genl.
Geo. Quirk, Water Bailiff.
T. Stephen.

The Keys.

George Quayle,
John Llewellyn,
Edw. Gawne,
W^m Leece Drinkwater,
J. Quilliam,
John Moore,
Cæsar Tobin,
John Cæsar Gelling,
A. Dunlop,

W^m Farrant,
C. Heywood,
J. Cumming,
John Hughes,
John C. Crellin,
John Quane,
Robt. Quayle,
Tho^s Harrison,

ISLE OF MAN }
to wit.

At a Tynwald Court holden at Castle Rushen the Eleventh day of June in the fifth year of the reign of our Sovereign Lord George the Fourth by the Grace of God of the United Kingdom of Great Britain and Ireland King Defender of the faith and so forth and in the Year of our Lord one thousand eight hundred and Twenty four. Before the Honorable Cornelius Smelt Lieutenant Governor the Council Deemsters and Keys of the said Isle.

An Act for continuing until the tenth day of October one thousand eight hundred and twenty seven an act passed in the Fifty ninth year of the Reign of our late Sovereign Lord George the third for the better making repairing and amending of Highways and Bridges.¹

Act of 1819
will expire
10 October
1824.

Whereas an act of Tynwald was passed in the Fifty ninth year of the reign of our late Sovereign Lord George the third intituled "An act for the better making repairing and amending of Highways and bridges" to continue in force until the tenth day of October one thousand Eight hundred and twenty four. And Whereas it is expedient that the said Act of Tynwald should be continued in manner hereinafter mentioned We therefore your Majesty's most dutiful and loyal Subjects the Lieutenant Governor Council Deemsters and Keys do beseech your Majesty that it may be enacted and be it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Lieutenant Governor Council Deemsters and Keys of the said Isle in Tynwald assembled and by the authority of the same that the said recited act of Tynwald shall be and the same is hereby continued and shall be in force until the Tenth day of October which will be in the year of Our Lord One thousand Eight hundred and twenty seven :

Highway
Act of 1776.

And Whereas by an Act of Tynwald passed in the year of Our Lord one thousand seven hundred and Seventy six intituled "An Act for the better making repairing and amending of the Highway the Draining of fens and marshy grounds the making of "Stone walls and other boundaries and for the more effectual preventing of trespasses," It is enacted that within one month next after the promulgation of the said Act and so from time to time afterwards as shall become necessary the Governor or Lieutenant Governor with the Council and Keys shall nominate authorise and appoint a Committee for putting the said Act into Execution consisting of five persons with powers to the said Committee as in the said Act mentioned :

And Whereas inconveniences have been experienced in the nomination of the said Committee,

Partly sus-
pended.

1. Be it therefore Enacted by the authority aforesaid that the said act of Tynwald so far as the same relates to the nomination and appointment of the said Committee and also to the nomination and appointment of Commissioners of Drains be and the same is hereby suspended for and during the continuance of this act.

Appoint-
ment of
Commis-
sioners of
Highways.

2. And be it enacted that from and after the Tenth day of October which will be in the year of Our Lord one thousand Eight hundred and twenty four the Governor or Lieutenant Governor and Council shall nominate six proper and qualified persons and the Keys shall in like manner nominate six other proper and qualified persons from and out of whom six Commissioners of Highways shall be appointed in manner following (that is to say) the Keys to have the power of rejecting three of such six persons so to

¹ Spent.

be nominated by the Governor & Council and the Governor and Council in like manner to have the power of rejecting three of such six persons so to be nominated by the Keys and that the remaining six persons shall be commissioners for the purpose of carrying this and the said other acts into execution and that in all cases five of such Commissioners shall be a Quorum.

3. And be it enacted that if any of the said Commissioners so to be appointed shall die or from sickness absence from the Island or other impediment be rendered Incapable of acting as such Commissioner that then or in such case the branch of the Legislature which nominated such Commissioner shall for each and every vacancy which may occur from any of the causes aforesaid nominate two proper and qualified persons from whom the other branch of the Legislature shall select one to fill up every such vacancy.

4. And be it enacted that the said Commissioners and every of them shall have and may exercise the same powers functions and authorities as the said Committee could have or might lawfully exercise under the said Act of Tynwald passed in the Year of Our Lord One thousand Seven hundred and Seventy Six and under the said Act of Tynwald passed in the year of Our Lord One thousand Eight hundred and nineteen or under any other act now in force for the making and repairing the Highways and Bridges within the said Island.

5. And be it further enacted that very person so to be nominated as a Commissioner as aforesaid shall be a bona fide proprietor of land within the said Island in his own right or in right of his wife of the clear yearly value of Sixty Pounds British after deducting all incumbrances affecting such Lands and that in case the qualification of any such person shall be called into question the proof of such qualification shall be upon such person before he be a Commissioner as aforesaid.

6. And be it further enacted that the said Commissioners shall be the Commissioners of Drains for the purpose of carrying into execution that part of the said Act of Tynwald passed in the Year of Our Lord one thousand Seven Hundred and seventy Six which relates to the Draining of fens and marshy grounds and the making of straight boundaries as in the said Act set forth.

Vacancies in Commissioners.

Powers of Commissioners.

Qualification of Commissioners.

Commissioners to be Commissioners of drains, &c

Deemsters { John Christian.
J. J. Heywood.

C. Smelt, Lieutenant Governor.
J. McHutchin, C.R.
Geo. Quirk, Water Bailiff.
William Roper, Vicar Genl.
J. Quirk, Actg. Atty. Genl.

The Keys.

George Quayle,
John Llewellyn,
Thos. Harrison,
John Moore,
John Lucas,
Wm. Farrant,
C. Heywood,

Ed. Gawne,
D. F. Wilson,
Wm. Bridson,
Wm. Cunningham,
John Hughes,
John Caesar Gelling,
Robt. Cunningham.

At the Court at Carlton House the 14th August 1824.

PRESENT :

The King's Most Excellent Majesty in Council.

Whereas there was this day read at the Board a Report from a Committee of the Lords of His Majesty's Most Honorable Privy Council, dated the 12th of this Instant, in the words following, viz^t. :—

Your Majesty having been pleased by Your Order in Council of the 30th of June last to refer unto this Committee a Letter from the Right Honorable Robert Peel, One of His Majesty's Principal Secretaries of State, to the Lord President of the Council transmitting an act passed by the Legislature of the Isle of Man, intituled as follows, viz^t. :—

“An Act for continuing until the Tenth day of October 1827 an Act passed in the 59th year of the Reign of Our late Sovereign Lord George the Third for the better making, repairing, and amending of Highways and Bridges.”

The Lords of the Committee, in obedience to Your Majesty's said Order of Reference have taken the said Letter and Act into Consideration, and do agree humbly to lay the said Act before Your Majesty as proper to receive Your Majesty's Royal Confirmation.

His Majesty having taken the said Report into consideration, was pleased by and with the advice of His Privy Council to approve thereof, and to order, and it is hereby ordered That the said Act be and it is hereby confirmed. And the Right Honorable Robert Peel One of His Majesty's Principal Secretaries of State, is to take the necessary measures herein accordingly.

C. G. GREVILLE.

The Keys.

George Quayle,
John Llewellyn,
Tho^s Harrison,
A. Dunlop,
John Quane,
W^m Farrant,
D. F. Wilson,
C. Heywood,

John Lucas,
Edw. Gawne,
William Bridson,
W^m Cunningham,
John Moore,
John Hughes,
John Cæsar Gelling,
J. Quilliam.

At the Court at Windsor the 19th October 1824.

PRESENT :

The King's Most Excellent Majesty in Council.

Whereas there was this day read at the Board a Letter from the Right Honourable Robert Peel, One of His Majesty's Principal Secretaries of State, to the Lord President of the Council, transmitting an Act passed by the Legislature of the Isle of Man, entitled, as follows viz—

“An Act for continuing until the Tenth day of October, One thousand eight hundred and twenty-five, an Act of Tynwald passed in the Third year of His Majesty's Reign, to prevent brewing, making or manufacturing Ale or Beer from Sugar, Molasses or other Ingredients substituted for Malt and Hops.”

His Majesty having taken the said Letter and Act into Consideration was pleased by and with the advice of His Privy Council, to order, as it is hereby ordered, That the said Act be, and it is hereby confirmed. And the Right Honourable Robert Peel, one of His Majesty's Principal Secretaries of State, is to take the necessary Measures herein accordingly.

JAS. BULLER.

At a Tynwald Court holden at St. John's Chapel the 9th November 1824.

The foregoing act of Tynwald having received the Royal Assent was Promulgated on the Tynwald Hill in usual form.

John Christian. }
J. J. Heywood, }

Atholl, Governor.
G. Sodor and Mann.
Robt. Stewart.
J. M^cHutchin.
Will. Roper.
J. Quirk.
Geo. Quirk, Water Bailiff.

The Keys.

George Quayle,
W^m Leece Drinkwater,
W^m Farrant,
John Hughes,
C. Heywood,
D. F. Wilson,
John C. Crellin,
John Moore,
John Quane,

Robt. Cunningham,
Cæsar Tobin,
J. Quilliam,
John Llewellyn,
William Bridson,
John Cæsar Gelling,
Tho^s Harrison,
Robt. Quayle,
John Lucas.

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